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NUAL REPORT

OF THE

SECRETARY OF THE INTERIOR

FOR THE

FISCAL YEAR ENDING JUNE 30, 1893.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1893.

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REPORT

OF THE

SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., November 25, 1893.

SIR: I have the honor to present the following summary of the business transacted by the Interior Department during the fiscal year ending June 30 last, together with a brief reference to some of the more important events which have occurred since that time.

To the jurisdiction of this Department is assigned Public Lands, Indian Affairs, Pensions, Patents, the Census, the Geological Survey, the Educational Bureau, the Bureau of Railroads, the Territories, National Parks, certain Eleemosynary Institutions in or near the District of Columbia, the distribution of public documents, the work of the Architect of the Capitol, and the Nicaraguan Canal, so far as the Government interests therein are concerned.

PUBLIC LANDS.

The report of the Commissioner of the General Land Office presents completely the work of that Bureau for the fiscal year ending June 30, 1893.

DISPOSAL OF PUBLIC LANDS.—During the year 1,404,958.82 acres were disposed of by cash sales, 10,396.727.22 acres by miscellaneous entries; also 89,457.95 acres of Indian lands were disposed of, aggregating 11,891,143.99 acres.

The total cash receipts from various sources for the year amounted to $4,479,734.14.

ISSUE OF PATENTS FOR LANDS DISPOSED OF.—The number of agricultural patents issued during the year was 43,684, granting, approximately, 6,989,440 acres. Mineral and mill-site patents were issued to the number of 1,623, and coal patents to the number of 104.

There were certified or patented on account of railroad land grants 1,726,179.95 acres, as follows:

Union Pacific Railway Company:		
Kansas	48,794.83	
Nebraska	314.47	
		49,109.30
Atlantic and Pacific Railroad Company:		
New Mexico		312,386.73
Central Pacific Railroad Company:		
Utah		75,382.16
Central Pacific Railroad Company—Oregon Division:		
California		187,275.55
New Orleans Pacific Railway Company:		
Louisiana		70,807.36
Gulf and Ship Island Railroad Company:		
Mississippi		39,810.52
Florida Central and Peninsula Railroad Company:		
Florida		255,560.32
Oregon and California Railroad Company:		
Oregon		292,486.90
Southern Pacific Railroad Company:		
California		71,553.11
Northern Pacific Railroad Company:		
Minnesota	2,055.84	
North Dakota	210,397.78	
Washington	148,469.54	
Oregon	422.75	
		361,345.91
Denver Pacific Railway and Telegraph Company:		
Colorado		116.71
Dubuque and Sioux City Railroad Company:		
Iowa		200.00
Hastings and Dakota Railroad Company:		
Minnesota		9,905.38
Chicago, Milwaukee, and St. Paul Railway Company:		
Iowa		240.00
Total		1,726,179.95

EDUCATIONAL AND INTERNAL IMPROVEMENT SELECTIONS.—Patents were issued to the several States under the swamp-land grants for 308,779.52 acres, and on account of grants for educational and other purposes, for 552,242.29 acres.

Indian lands were patented, during the year, aggregating 455,737.28 acres.

SURVEYS OF PUBLIC LANDS.—During the fiscal year ending June 30, 1893, the following surveys were accepted, after an examination in the field, careful comparison of the surveying returns with the reports of the examiners, and inspection of the plats and field notes in this office:

States and Territories.	Acres.	States and Territories.	Acres.
Arizona	399,719	North Dakota	3,482,548
California	150,170	Oregon	707,848
Colorado	636,464	South Dakota	1,665,729
Idaho	182,193	Utah	179,696
Minnesota	1,312,084	Washington	507,457
Montana	2,292,870	Wyoming	895,903
Nevada	685,051		
New Mexico	686,455	Total	13,784,187

The appropriation for the fiscal year ending June 30, 1893, for the survey and resurvey of the public lands, approved by act of Congress of August 5, 1892, was $375,000, of which $75,000 was authorized to be applied to the examination of surveys in the field, etc.

After deducting $75,000 for examination of surveys in the field, the amount of the appropriation for public surveys applicable to all surveying districts was $300,000; which amount, together with the appropriation of $125,000 for the survey of land grants to railroads, was apportioned as follows:

District.	Public lands.	Railroad land grants.	District.	Public lands.	Railroad land grants.
Arizona	$10,000	$16,000	New Mexico	$15,000	$5,000
California	10,000	10,000	Oregon	20,000	15,000
Colorado	15,000		Utah	5,000	5,000
North Dakota	20,000	5,000	Washington	45,000	19,000
South Dakota	25,000		Wyoming	35,000	
Idaho	30,000	10,000	Reserve fund	20,000	20,000
Minnesota	10,000				
Montana	35,000	15,000	Total	300,000	125,000
Nevada	5,000	5,000			

In the general instructions issued for the year ending June 30, 1893, it was provided that the fund for examinations should be retained under the direct control of the office, and expended, in the main, for the maintenance of a corps of competent examiners, to be detailed according to the exigencies of the service in the several surveying districts. Preference was given in this matter to the surveying of townships occupied in whole or in part by actual settlers. It was further suggested that townships contiguous to those for which evidences of settlement had been submitted, should also receive attention in the manner stated, more particularly when said townships were situated within the range and progress of settlement, embraced agricultural lands, and were liable to be occupied by actual settlers in the near future.

SURVEY OF BOUNDARY LINES.—The survey of the boundary line between the States of North and South Dakota, which was partially executed at the close of the last fiscal year, has since been completed and accepted. The entire length of the line is 360 miles, 45 chains, and 35 links.

BOUNDARY BETWEEN SOUTH DAKOTA AND NEBRASKA.—The survey of the boundary line between South Dakota and Nebraska was let by contract to Joseph H. Jenkins on June 19, 1893, and since that date he has received the requisite special instructions and has entered upon the performance of the work.

YELLOWSTONE NATIONAL PARK.—A survey of the southern and eastern boundary of the Yellowstone National Park, in Wyoming, and the lines of the public forest reservation east, south, and adjoining the park, was directed June 30, 1891. The contract for this work was awarded to Philip M. Gallaher, United States deputy surveyor.

This work is now in progress, and under the terms of the contract and limit of the appropriation, must be completed prior to July 1, 1894.

MAPS.—The original drawing of the map of the United States was revised and corrected up to date and an edition of 16,224 copies printed.

Tracings of the maps of Utah, Minnesota, Nevada, Oklahoma, and Montana have been forwarded to the Forbes Lithograph Manufacturing Company, of Boston. It is proposed during the coming year to publish editions of the maps of Wisconsin, Illinois, Indiana, and Iowa.

A uniform system of scales, lettering, and conventional signs has been recently adopted, and will be applied to all maps issued.

PRIVATE-LAND CLAIMS.—The following table shows the number of private-land claims disposed of during the year:

California private-land claims patented	1
New Mexico private-land claims patented	2
Missouri, Florida, and Louisiana private-land claims patented	31
Claims of Missionary Associations patented	10
Patents to villages of Mission Indians (California)	2
Oregon and Washington donation patents	14
Indian claims patented	2,932
Entries with certificates of location finally approved	182
Claims in Louisiana satisfied with scrip, act of June 2, 1858	38

The scrip issued in satisfaction of the above 38 claims in Louisiana has been confirmed by that State. Unlocated claims amount to 27,318.17 acres.

CONTESTS.—The Commissioner's report shows the condition of the work in the contest division to be nearly up to date, there being but 191 undecided appealed cases on hand, and 1,015 decided, but not finally closed.

Of the unappealed cases, there were 4,116 examined and closed during the year, leaving a balance of 550 undecided cases on hand.

RAILROAD LAND GRANTS.—The adjustment of the following railroad and other land grants has been approved by the Department, viz:

Name of road.	Approved.
Sioux City and St. Paul	June 22, 1887
Chicago, St. Paul, Minneapolis, and Omaha	Feb. 12, 1887
Hannibal and St. Joseph	May 29, 1887
Grand Rapids and Indiana	July 20, 1887
Missouri, Kansas, and Texas	Aug. 2, 1887
Coos Bay Military Wagon Road	Feb. 1, 1892
Bay de Noquet and Marquette	Oct. 3, 1892
Mobile and Girard	Apr. 24, 1893
Vicksburg, Shreveport, and Pacific	May 18, 1892

Other claims have been submitted and are now under consideration, and the Commissioner reports progress in several more.

The number of acres of land embraced in lists of selections under railroad grants awaiting examination at the close of the fiscal year is 29,687,475.06 acres; the wagon-road selections pending aggregate 313,406.37 acres, making a total of railroad and wagon-road selections pending at the close of the fiscal year of 30,000,881.43 acres.

In making restoration under the forfeiture act of September 29, 1890, all the unpatented lands lying opposite the unconstructed and forfeited

portion of the Northern Pacific Railroad in Oregon, excepting a moiety lying within the constructed Cascade branch of said company's road, were, with the approval of the Department, ordered restored to entry. The restoration included certain lands lying within the grants, by acts of July 25, 1866, and February 25, 1867, to the Oregon and California Railroad Company and The Dalles Military Road Company.

During the past year several decisions have been rendered by the United States Supreme Court affecting the rights of land-grant railroads. The result of these decisions will be the restoration to entry of a large quantity of land, but, as questions affecting the status of this land are still pending, restoration will necessarily be deferred until said questions shall have been determined.

RIGHT OF WAY TO RAILROADS, CANALS, DITCHES, AND RESERVOIRS.—There are 424 railroad companies claiming right of way over the public land under the general right of way act of March 3, 1875, or special acts. The articles of incorporation of 17 of these companies have been approved during the past year.

Under sections 18 to 21 of the act of Congress approved March 3, 1891 (which granted the right of way over the public lands for the construction of canals, ditches, and reservoirs), 109 applications have been received, of which 59 were made by individuals and firms, and 50 by corporations. These cover 138 reservoirs and 169 canals and ditches.

This branch of the work is steadily increasing, and the importance of the law is manifest in inducing the construction of irrigating canals, ditches, and storage reservoirs, causing the arid lands to become productive and their settlement extended, and thus increasing the wealth and resources of the country.

PROTECTION OF PUBLIC LANDS.—During the year, 82 agents were employed in the investigation of fraudulent entries and otherwise protecting the public lands from illegal appropriation and timber trespass. Their investigations further included applications for permission to cut timber on public lands, under the act of Congress approved March 3, 1891, and applications to cut timber upon forest reserves under the act of March 3, 1891 (26 Stat., 1095–1103).

Seven hundred and eighty-nine cases were referred to the agents for investigation, hearings were ordered in 96 cases, 385 were held for cancellation, 358 cancelled, and 1,269 were examined and passed.

Final action was taken in 2,418 cases, and there are now pending in the division (June 30, 1893) 2,422 cases.

TIMBER TRESPASS.—Ninety-two cases of timber depredations have been reported during the year, involving public timber and the products therefrom to the value of $195,692.46, recoverable to the Government.

The amount involved in propositions of settlement accepted by the office, and compromises effected under section 3469, U. S. Revised Statutes, is $11,503.24; and the amount recovered through legal proceedings so far of record (the United States attorneys' reports for various districts not having been received up to the date of preparing this

report) is $43,049.42; the total amount recovered during the year on account of depredations upon the public timber is $54,552.66.

On the 1st of July, 1893, so far as reported by the United States attorneys, there were pending in the United States courts 105 civil suits for the recovery of $839,880.26, the value of timber alleged to have been unlawfully cut from public lands. There were also pending 227 criminal prosecutions for the act of cutting or removing timber in violation of law.

SWAMP-LAND GRANTS.—During the past year claims for land in place under the swamp-land grants amounted to 118,785.32 acres, which increases the aggregate selections since the passage of the swamp-land grants to 80,390,326.45 acres. Claims for cash and land indemnity were received and recorded on the basis of 44,513 acres.

Lists of swamp lands, embracing 282,646.90 acres were approved by the Secretary of the Interior, making the total quantity approved since the dates of the grants 59,802,960.39 acres.

Patents and certified lists covering 249,854.09 acres were issued during the year.

Claims of the States to swamp lands in place were rejected during the year on 777,845.72 acres, the largest quantity rejected in any year since the dates of the grants.

Claims of the States for swamp-land indemnity, under the acts of March 2, 1855, and March 3, 1857, were acted upon in a large number of cases, but only $416.22 were allowed, on 440.31 acres, as cash indemnity, making a total of $1,599,781.48 paid to the several States since the passage of the indemnity acts.

Claims for swamp-land indemnity were rejected during the year on 295,194.63 acres. The greater part of these rejections were to clear the records of improper selections, so as to better determine what legal claims remain unadjusted, and to facilitate the final settlement of proper claims.

SCHOOL AND EDUCATIONAL GRANTS.—The selections pending on June 30, 1893, aggregate 1,474,625.05 acres, an increase of 381,456.53 acres over those pending a year previous. This work is mostly of a current character, and its increase in volume is attributable to the large number of selections made by the six States admitted in 1889 and 1890.

SCHOOL LAND IN OKLAHOMA.—Section 36 of the act of March 3, 1891 (26 Stats., 1053), provides:

> That the school lands reserved in the Territory of Oklahoma by this and former acts of Congress may be leased for a period not exceeding three years for the benefit of the school fund of said Territory by the governor thereof, under regulations to be prescribed by the Secretary of the Interior.

A full history of the preliminary work of carrying out the above law was given in the report of the General Land Office for the year 1892.

For the year ending June 30, 1893, leases to the number of 561 have been approved and forwarded to the governor for delivery to the lessees. In addition to this, the governor was authorized, on May 28, 1893, to

proceed with the leasing of the school lands in the Cheyenne and Arapahoe country opened for settlement in April, 1892.

The report of the governor for the calendar year ending December 31, 1892, shows the receipts to have been $27,350.70, and the expenditures $1,873.95.

This work is now greatly increased by the opening to settlement of the Cherokee Outlet.

The Commissioner recommends the enactment by Congress of supplemental or amendatory legislation placing the leasing of these lands and property acquired out of the funds derived therefrom, exclusively under the control of the Territorial legislature, and I heartily concur in the recommendation.

PUBLIC TIMBER.—A careful examination and comparison of the provisions of the several laws for the protection and preservation of the public timber, and the acts authorizing the use of the same, discloses the utter inadequacy of legislation thus far enacted to provide for the legitimate procurement of public timber to supply the actual necessities of the people dependent thereon, to aid and promote settlement, and to develop the natural resources of the public lands, or to properly protect and preserve the forests for the conservation of the water supply and the needs of the future.

PUBLIC FORESTS.—During the year, nine additional forest reservations have been created, under section 24 of the act of March 3, 1891 (26 Stats., 1095), authorizing the President to set aside and reserve public lands bearing forests.

There are now fifteen of these reservations, embracing an estimated area of 13,053,440 acres.

Several proposed reservations have been examined by special agents and are now awaiting consideration by the Land Office or by this Department, and a number have been petitioned for by settlers and residents of the localities suggested, and yet no provision exists for the protection of these reservations from trespass or from fire.

I recommend the passage of legislation which may lay the foundation for a wise, comprehensive forestry system to be applied to the timber upon the public lands and to the forest reservations. The passage of a bill allowing the sale of such timber as can be properly removed would furnish a fund sufficient to inaugurate a thorough system of inspection; but the creation of a forestry commission in connection with the Land Office, looking toward the education and use in this work of men thoroughly suited for it, is already needed.

The fact that timber is still plentiful should not blind our eyes to its present rapid removal, and to the condition which will confront the country a few years hence. This great product can meet all the demands of the public, and yet by proper care be preserved undiminished if some of the wise regulations deemed necessary in other countries are applied here.

CHEROKEE OUTLET.—A most important work of the General Land Office has been performed since June 30, 1893.

By the act of March 3, 1893, provision was made for the disposal of the lands known as the Cherokee Outlet. The tract of land made subject to disposal under said act embraced an area of 6,500,000 acres. The act of Congress changed, in some respects, the provisions of the original negotiation with the Indians, and before the Department could take steps to open the land it was necessary to await approval by the Indians of the terms of the act of Congress, and the formal execution of the contract in pursuance thereof. The contract was signed on the 17th day of May, 1893.

Among the provisions of this act is one not found in any act heretofore passed providing for the disposal of lands in Oklahoma Territory, which reads as follows:

> No person shall be permitted to occupy or enter upon any of the lands herein referred to, except in the manner prescribed by the proclamation of the President opening the same to settlement.

It is apparent that this provision was inserted for the purpose of permitting some method to be adopted which would prevent the lands from being occupied by parties who had not the qualifications required to entitle them to enter the same.

The President's proclamation, which was issued August 19, 1893, contained regulations prescribing the manner of entering upon the lands, which were in substance as follows:

Nine booths were to be established, five on the northern and four on the southern border of the Outlet, and placed in charge of officers to be detailed from the General Land Office, three at each booth. The booths were to be opened for business on September 11, 1893, at 7 a. m., and kept open for ten hours on each business day thereafter until discontinued by order of the Department.

Each party desiring to enter upon and occupy the lands to be opened was required to appear at one of the booths, and there make a declaration in writing before one of the officers in charge, showing his or her qualifications to initiate a claim on said lands, whereupon a certificate was to be given to the party, permitting him or her to enter upon the lands after the day and hour when they were to be opened to settlement, as set forth in the President's proclamation, and the officers of the United States were expressly charged to permit no party without a certificate to occupy or enter upon any of the lands until after the discontinuance of the booths.

Four forms of declarations were provided, designated as forms A, B, C, and E. Form A was for use by a party intending to make a homestead entry; form B, for a party intending to file a soldier's declaratory statement; form C, for a party who intended to file a soldier's declaratory statement as agent for the soldier, and form E, for a party intending to settle upon a town lot. Two forms of certificates were to be issued, designated as forms D and F. Form D was to be issued to

parties making declarations upon forms A, B, and C, and form F to parties making a declaration upon form E.

It is well to remember that the act of Congress required the lands to be disposed of under the homestead and town-site laws only, and although many methods of procedure were suggested as desirable in order to prevent conflicting claims and contests, no method could be adopted which would infringe upon the homestead and town-site laws. The method adopted appeared to be the only practicable one which would not have conflicted with some provision of those laws.

A number of special agents of the Department arranged the necessary preliminaries for the opening, and 45 clerks from the General Land Office were detailed to take charge of the booths.

The rush of applicants for certificates was unprecedented, the returns from the several booths showing that they numbered over 100,000, greatly in excess of the expected number. This rush was caused in part by the extensive advertising of the railroad companies and by the reports published in the public press, which contained misleading statements as to the quantity and quality of the lands, and as to the necessary qualifications to make entry.

As soon as it was found that the force at work could not supply all of the applicants with booth certificates, additional help was employed. More booths were constructed at the points where crowds were the largest, and when the hour for opening the land to settlement arrived, all who had appeared at the booths and been found entitled to receive a certificate permitting entry upon the lands, had been supplied therewith.

That hardships were incurred by applicants was an unavoidable result, when so large a crowd, far in excess of the land to be obtained, was preparing to rush madly upon it. No care of the Department could have lessened the intense heat, or have prevented the stifling dust. The scarcity of water was due to the fact that an extended drought had dried up many of the usual sources of water supply, and when crowds to the extent of over 20,000 gathered in the neighborhood of a single booth, it was impossible to place all the booths at locations suited for entry, and also to find a sufficient water supply.

It is believed that aside from these hardships the plan adopted was carried to a successful conclusion, and that it prevented, to a large extent, the wrongful occupancy of land by people who were not entitled to settle thereon, which marked the first opening of the land now included in Oklahoma, and which is referred to in the report of the Secretary of the Interior dated November 15, 1889.

It is gratifying to know that the governor of Oklahoma, who was upon the ground, with all the facts before him, states in his report that "the booth system has done a vast amount of good in keeping out illegal claimants, and will long continue to do so. The difficulty experienced in registering at the booths was far overbalanced by the check it was upon fraud."

It should also be remembered that Congress had made no appropriation to meet the expenses of opening the Strip, and the limited amount that could be advanced from the contingent fund of the Department for that purpose prevented preparations beyond those which seemed absolutely necessary.

The hour of opening was fixed at 12 o'clock noon September 16, 1893, and an area exceeding that of some of the States was then added to the public domain.

THE CHEROKEE INDIAN ALLOTMENTS.—The act of Congress providing for the purchase of the Cherokee Outlet also provided for allotments to be made to not more than 70 Indians on account of improvements already placed upon the land to be opened. This provision of the act was brought to my attention on the 5th of April last. The Acting Commissioner of Indian Affairs, Mr. Belt, differed from the Assistant Attorney-General, Mr. Shields, as to the extent of the privilege thus accorded to the Indians claiming improvements. I agreed with the Commissioner of Indian Affairs that the act did not limit the allotment to the improved lands, but I endeavored to restrict selections to lands joining the improved lands. A subsequent thorough examination of the act, together with the Journals of the Senate and House, led Assistant Attorney-General Hall to advise me that the allotments were to be made by the Indians, and that the only power of the Secretary to control the selection grew out of the provision of the act which required final approval of the selections by the Secretary.

I endeavored, but without success, to dissuade those representing the Indians from seeking to select town sites for speculation.

Believing that the settlers should have a fair chance to select town lots, and that purchasers of Indian allotments ought not to be permitted to speculate at the expense of settlers, I could not consent to approve the allotments at places where town sites were located. Two remedies were open; one to reject the allotments, the other to locate town sites at places distant from the points where the land had been selected for the Indian allotments. The rejection of the selections which had been made by the Indians was calculated to cause delay in opening the land to settlement. A carefully prepared profile of the localities satisfied experts in the General Land Office that the town sites could be located at points several miles distant from the proposed allotments without detriment to the town sites. I thereupon approved the allotments, but fixed the places for town sites in such a way as to defeat, if possible, the schemes of those who were speculating in Indian allotments.

The Government towns have rapidly filled with people, and yet in several instances the railroad companies made war upon these towns, and have exerted their influence in favor of the towns sought to be built up by speculators who purchased Indian allotments.

In one instance a railroad company has declined to stop its trains at a Government town containing over 5,000 people, while it seems pre-

pared to make liberal outlays for the town containing but little over 1,000 inhabitants held by the speculators.

A bill has been introduced in Congress, the purpose of which is to compel railroads in Territories to treat with fairness the people upon the line of the roads, and to prevent the possibility of discrimination in favor of speculative interests. I recommend the passage of legislation which will protect in this regard the people now occupying the Government towns in Oklahoma.

While the opening of the Strip last September was relieved of many difficulties by the regulations legally made, yet it must be confessed that the manner of entry was not satisfactory.

A number of small but valuable tracts of land will be ready for settlement within the next two years. It is impossible for the Department to prevent trouble without additional legislation, and as a substitute for the present system, I recommend the adoption by Congress of some plan which, by auction, lottery, or otherwise, may determine in advance, the ownership of each particular section of these new lands which are to be opened to settlement.

All the provisions applicable to limitation of quantity of land and to time of occupancy now contained in the homestead laws might be preserved, if the selection was determined by award to the highest bidder at an open sale. No man ineligible to make a homestead entry should be allowed to bid.

I do not press a particular plan, but I do urge that something of this character should be done; otherwise the Department may not be able to prevent occurrences substantially similar to those of last September.

LEGAL WORK.

More than half the time of those in the office of the Assistant Attorney-General is devoted to appeals from the General Land Office. I will, therefore, refer to their work in this connection.

The following table shows the number of decisions, miscellaneous matters, and opinions prepared from November 1, 1892, to October 31, 1893:

From November 1, 1892, to March 4, 1893:	
Decisions	657
Miscellaneous matters	522
Opinions of Assistant Attorney-General	34
From March 4, 1893, to June 30, 1893:	
Decisions	500
Miscellaneous matters	275
Opinions of Assistant Attorney-General	12
From July 1, 1893, to October 31, 1893:	
Decisions	680
Miscellaneous matters	301
Opinions of Assistant Attorney-General	23
Total:	
Decisions	1,777
Miscellaneous matters	1,098
Opinions of Assistant Attorney-General	99

During the past six months, many important questions have been settled by the decisions of this Department, establishing precedents which will control in a large number of cases now pending.

RAILROAD GRANTS.—In August, 1888, the Department rendered a decision in the case of Guilford Miller *v.* Northern Pacific Railroad Company, holding that as the sixth section of the grant to this company provided for a withdrawal of land upon the filing of map of general route, which became effective upon the approval thereof, that the Executive Department was without authority to approve a second or amended map, and that a withdrawal made thereunder was without legal force or effect. The effect of this decision was to hold that said company was not entitled to the benefit of the second withdrawal made upon its amended map of general route for that part of the road lying between the Columbia River and eastern boundary of the State of Washington.

A large number of cases were decided under this authority, and motions for review in all of said cases were filed within the time required by the rules of practice, in which the Department was asked to review and overrule the decision in the case of Guilford Miller. These motions have been pending before the Department, undisposed of, since 1888.

In the case of Charles Cole *v.* Northern Pacific Railroad Company, one of the cases above referred to, a decision was made in July last, affirming the ruling of the Department in the case of Guilford Miller, so far as it held that said company was not entitled to the benefit of the withdrawal made upon its second or amended map of general route, and that said withdrawal was without legal force or effect.

The settlement of this question will enable the Department to dispose of a large number of cases involving claims to lands lying opposite this portion of the company's road, upon which action has been suspended awaiting a decision thereon.

ADJUSTMENT OF GRANTS.—In August, 1887, Secretary Lamar, being impressed with the importance of a prompt and speedy adjustment of the several railroad grants, and believing that the continued holding in reservation of large belts of lands within indemnity limits for the benefit of the railroad companies retarded the work, issued orders revoking withdrawals of indemnity lands in all cases where such withdrawals rested solely upon executive authority and action. Where the withdrawals were made by legislative authority and direction, they were afterwards revoked by acts of Congress. In the order of revocation of August 13, 1887, it was directed that the lands included within said limits be restored to the public domain, except such lands as may be covered by approved selections; and as to lands covered by unapproved selections, filings and entries might be received, subject to the right of the company to show that the land is subject to such selection.

Prior to 1879 it seems to have been the practice of the General Land Office to allow selections of indemnity lands without requiring

any specification of losses. On November 7 of that year, a circular was issued requiring losses to be specified in all cases; but, on May 28, 1883, instructions were issued to the Commissioner of the General Land Office, allowing the Northern Pacific Railroad Company to make selections without designating the specific loss, leaving it to the General Land Office to finally ascertain and designate the lands lost in place. This was believed to be the best course to secure a speedy adjustment of this grant, but it failed to accomplish the result; and on August 4, 1885, a circular was issued requiring the particular deficiency for which indemnity is claimed to be specified in all cases before an indemnity selection should be allowed; and where indemnity selections had theretofore been filed without specification of losses, the companies should be required to designate the deficiencies before further selections would be allowed.

Lists of selections are now pending in the General Land Office, made prior to the order of revocation, which do not designate the specific loss for each tract selected. Being impressed with the necessity for some positive action in the premises, in order to facilitate the adjustment of the grants and to protect the rights of adverse claimants, I directed the Commissioner of the General Land Office to call upon all railroad companies having pending indemnity selections, to revise their lists within six months from date of notice, so that a proper basis will be shown for each and all lands now claimed as indemnity, the same to be arranged, tract for tract, in accordance with departmental requirements, and that all tracts formerly claimed, for which a particular basis is not assigned in the manner prescribed, at the expiration of said six months, be disposed of under the terms of the orders restoring indemnity lands, without regard to such previous claim.

ATTORNEYS PRACTICING BEFORE THE DEPARTMENT.—When I came into office I found a rule in force prohibiting any former employé in the Government service from appearing as attorney, counsel, or agent in the prosecution or defense of any case that was pending in the Department at the time of such employment, within two years after such employé had ceased his connection with the Government service. This rule was predicated upon section 190 of the Revised Statutes, which prohibits any "officer, clerk, or employé in any of the Departments to act as counsel, attorney, or agent for prosecuting any claim against the United States which was pending in either of said Departments while he was such officer, clerk, or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim within two years next after he shall have ceased to be such officer, clerk, or employé."

Upon a careful consideration of this question, I became satisfied that the phrase "claim against the United States," as employed in said section, must be construed to mean a money demand against the United States, and that the inhibition did not apply to the prosecution of cases before the land department, in which the claimant was seeking

to acquire title to a tract of public land under the general land laws, in which no money demand was involved. I therefore held that a former employé in the Government service was not by reason of such former employment prohibited from appearing before this Department as attorney, counsel, or agent in behalf of any claimant in the prosecution of a claim for a tract of public land.

DISQUALIFICATION OF REGISTERS AND RECEIVERS.—In the case of Emblen *v.* Weed (16 L. D., 28) it had been held that a local officer having a pecuniary interest in a cause, was not disqualified from sitting and taking part in the trial of such cause, for the reason that each of said officers is required to take part in the consideration of all cases coming before them, and no provision is made for a change of venue or for the designation of any other officer to hear and determine such cases.

Notwithstanding the failure of the statute to provide for the hearing of such cases, I was satisfied that any ruling authorizing a party having an interest in any matter in controversy to participate in the trial and to control the judgment in such cases, was contrary to every legal principle, and could not stand the test of judicial investigation. Upon a motion for review, I reversed this decision, and held that a local officer having a property interest in any matter in controversy coming before the local office for which he was appointed, was disqualified from hearing and determining such cause (17 L. D., 220).

The failure of the law to make provision for designating some official to hear and determine causes arising in the local land offices, in which either the register or receiver, or both, are disqualified from acting, by reason of their interest in the matter in controversy, induced me to call attention to the necessity for legislation upon the subject, and a bill is now pending before Congress to supply this deficiency.

INDIAN AFFAIRS.

A fair examination of the work of this Bureau for the last fiscal year, furnishes proof in support of the wisdom of the policy which for the past few years has controlled the administration of Indian affairs. Slowly, but steadily, these wards of the nation are being advanced to a condition suited for citizenship. The expenditures necessary are large, the labor required is great, but the responsibility can not otherwise be fulfilled. It is a mistake to suppose that the number of Indians is rapidly decreasing. On the contrary, the last census shows over 250,000, and tribal wars and wars with the whites having ceased, they are increasing rather than diminishing in number.

Much good is being accomplished by the allotment of land in severalty. True, some of those who thus accept homes are careless, and fail to properly utilize the benefits conferred, but others are working successfully upon their farms, and are adapting themselves to the changed conditions.

The school house is beginning to have a marked effect upon the race. Over 21,000 children were entered as scholars during the past

fiscal year and have been carefully trained in the habits and customs of civilized life, as well as instructed in those branches taught in common schools.

It should not be expected that all these children will retain, when returned to their savage parents, the habits and manner of life which they were required to adopt while attending school, but the education and the influence which they carry to their homes is having a gradual effect which will be certain in its result.

AGENTS.—Under the provisions of the Indian Appropriation Act of July 13, 1892, a large number of Army officers have been detailed as Indian agents. The ideal agent is the man who, capable and honest, comes to the work freed from any purpose other than the zealous discharge of his duties. There will always be men residing in the neighborhood of Indian reservations who, to a greater or less degree, live upon the successful execution of schemes connected with the Indians, and there will be local interests sure to conflict with the rights of the Indians upon the reservations. The agent must be free from bias in these matters, and, where civilians have been appointed, an effort has been made to obtain men at a distance from the reservations to which they are assigned. I cordially approve the views of the Commissioner urged in support of the wisdom of this policy. The agent should be selected on account of his fitness, and he should be retained solely because of his proficiency in the service. It will be the earnest effort of the Department to bring promptly to your attention the name of any agent who fails to reach a high standard, and to ask for his removal.

ESTIMATE FOR APPROPRIATIONS.—The estimate submitted of appropriations for the Indian service during the fiscal year ending June 30, 1895, amounts to $6,931,756.61. This is $193,639.83 less than the sum appropriated for the current fiscal year ending June 30, 1894.

EDUCATION.—The following tables give the enrollment and average attendance at Indian schools from 1887 to 1893:

TABLE.—*Enrollment and average attendance at Indian schools, 1891 to 1893.*

ENROLLED.

Kind of school.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
Government schools:							
Training and boarding	6,847	6,998	6,797	7,236	8,572	9,634	11,185
Day	3,115	3,175	2,863	2,963	2,877	3,481	3,513
Total	9,962	10,173	9,660	10,199	11,449	13,115	14,698
Contract schools:							
Boarding	2,763	3,234	4,038	4,186	4,282	4,262	4,240
Day	1,044	1,293	1,307	1,004	886	839	616
Boarding, specially appropriated for	564	512	779	988	1,309	1,344	1,297
Total	4,371	5,039	6,124	6,178	6,477	6,445	6,153
Public day schools						190	243
Mission schools not assisted by Government; boarding and day pupils						157	44
Aggregate	14,333	15,212	15,784	16,377	17,926	19,907	21,138
Increase					1,549	1,981	1,231

TABLE.—*Enrollment and average attendance at Indian schools, 1891 to 1893*—Continued.

AVERAGE ATTENDANCE.

Kind of school.	1887.	1888.	1889.	1890.	1891.	1892.	1893.
Government schools:							
Training and boarding	5,276	5,533	5,212	5,644	6,749	7,622	9,098
Day	1,896	1,929	1,744	1,780	1,661	2,084	2,131
Total	7,172	7,462	6,956	7,424	8,410	9,706	11,229
Contract schools:							
Boarding	2,258	2,694	3,213	3,384	3,504	3,585	3,463
Day	604	786	662	587	502	473	342
Boarding, specially appropriated for	486	478	721	837	1,172	1,204	1,111
Total	3,348	3,958	4,596	4,808	5,178	5,262	4,916
Public day schools						106	160
Mission schools not assisted by Government						93	28
Aggregate	10,520	11,420	11,552	12,232	13,588	15,167	16,333
Increase					1,356	1,579	1,166

Six new training schools have been opened since the last annual report, viz: at Pipestone, Minn.; Mount Pleasant, Mich.; Flandreau, S. Dak.; Tomah, Wis.; Perris, Cal.; and Fort Shaw, Mont. The first four originated with Congress. Perris is the only boarding school ever furnished for the Mission Indians in California. The Fort Shaw school is in a vacated military post.

There are now twenty nonreservation training schools, as shown in the following table:

TABLE.—*Location, average attendance, capacity, etc., of nonreservation training schools during the fiscal year ended June 30, 1893.*

Name of school.	Date of opening.	Number of employés.	Rate per annum.	Capacity.	Enrollment.	Average attendance.
Carlisle, Pa	Nov. 1, 1879	72	167	*800	840	731
Chemawa, Oregon	Feb. 25, 1880	31	175	300	336	248
Fort Stevenson, N. Dak	Dec. 18, 1883	21		150	157	153
Chilocco, Ind. T	Jan. 15, 1884	42	167	† 300	236	224
Genoa, Nebr	Feb. 20, 1884	40	167	400	414	340
Albuquerque, N. Mex	Aug., 1884	52	175	300	269	222
Haskell, Kans	Sept. 1, 1884	48	167	500	606	538
Grand Junction, Colo	1886	17	175	120	102	98
Santa Fe, N. Mex	Oct., 1890	33	175	175	173	118
Fort Mojave, Ariz	Oct., 1890	22	167	150	134	118
Carson, Nev	Dec., 1890	23	175	125	122	80
Pierre, S. Dak	Feb., 1891	19	167	180	147	120
Phœnix, Ariz	Sept., 1891	26	175	130	121	105
Fort Lewis, Colo	Mar., 1892	20		300	94	63
Fort Shaw, Mont	Dec. 27, 1892	24		250	171	136
Perris, Cal	Jan. 9, 1893	12	167	120	113	90
Flandreau, S. Dak	Mar. 7, 1893	12		150	98	86
Pipestone, Minn	Feb., 1893	12	167	75	61	38
Mount Pleasant, Mich	Jan. 3, 1893	11	167	100	59	36
Tomah, Wis	Jan. 19, 1893	12	167	75	93	77
Total				4,700	4,346	3,621

* With outing system.

† When improvements under way are completed.

A detailed statement of the operations of the schools will be found in the report of the Commissioner of Indian Affairs.

The schools are organized with a general superintendent and, as a rule, under the immediate control of local superintendents, the latter being aided by teachers and assistant teachers. The local superintendents have been placed within the classified service. Many of them are bonded officers, and have entire responsibility for everything connected with their schools, including financial management and property interests.

The Commissioner states that the ordinary civil-service examination does not furnish a proper test of the fitness of applicants for these positions. I fully agree with him in this view. So far as I know, it is not the practice under any well-regulated school system to select superintendents through competitive examination. The mere technical knowledge which furnishes capacity to stand a civil-service examination, fails entirely to demonstrate the qualities required of an efficient school superintendent.

Executive ability, force, character, capacity to manage, ardor, enthusiasm—such qualities are worth infinitely more in a superintendent than mere technical information. They are of a higher order than mere routine knowledge. These officers should be selected without regard to politics. They should be chosen by the general superintendent, not necessarily from applicants, but after careful inquiry among school men to find those who have already passed examinations for lower positions, and who, as teachers, have shown ability suited to the work.

The evil result of obtaining superintendents through a civil-service examination has not so far affected the schools, because, as the letters of the former officers in charge show, as soon as it was determined to bring these places within the classified service all the vacancies were hastily filled to obviate the necessity of obtaining superintendents from the civil service.

Nor should teachers be obtained by the present system of civil-service examination. A plan should be adopted, through conference between the Civil Service Commission and the general superintendent of the schools, providing for examination for teachers to be held in various localities by the local superintendents and by others engaged in school work; but even then the experience of the applicant as a teacher should be estimated, and should count full as much as the mere technical examination which may be provided.

I wish, however, to be fully understood as insisting that these local superintendents and teachers shall hold their positions during competent service, and shall, in no sense, be subject to change on account of politics or official caprice. Their tenure of office should be as permanent as if they were within the classified service.

A system of day schools upon reservations has been established somewhat after the plan of the common schools of the country. By means of these schools the children are prepared to enter at a more

advanced stage the boarding and other schools. These day schools have their advantages, in that the influence of education is exerted more immediately upon the families of the scholars because of the daily contact between them.

The report of the Commissioner shows the progress that has been made in allotting lands to the Indians, as follows:

ON RESERVATIONS.—To the following Indians the patents issued last year have been delivered:

Cheyennes and Arapahoes in Oklahoma	3,294
Citizen Pottawatomies in Oklahoma	1,363
Absentee Shawnees in Oklahoma	561

Patents have been issued and delivered to the following Indians:

Pottawatomies in Kansas	115
Senecas in Indian Territory	301
Eastern Shawnees in Indian Territory	48
Sac and Fox in Kansas and Nebraska	76
Oneidas in Wisconsin	1,500

Patents have been issued, but not delivered, to the following Indians:

Sisseton and Wahpeton Sioux in North Dakota and South Dakota	1,339
Medawakanton, etc., Sioux on Devils Lake Reservation, in North Dakota	776
Tonkawas in Oklahoma	73

Allotments have been approved by the Indian office and the Department, and patents are now being prepared in the General Land Office for the following Indians:

Pottawatomies in Kansas	150
Pawnees in Oklahoma	820
Umatillas, Cayuses, and Walla Wallas in Oregon	893
Klamath River Indians in California	161

Schedules of the following allotments have been received in the Indian Office, but have not yet been finally acted upon:

Iowas in Kansas and Nebraska	142
Nez Percés in Idaho	1,699
Medawakanton, etc., Sioux in North Dakota	356
Indians on Siletz Reservation in Oregon	536

Work is progressing on the following reservations: Moqui, Arizona; Mission and Hoopa Valley, California; Pottawatomie and Kickapoo, Kansas; Chippewa, Minnesota; Ponca and Otoe, Oklahoma; Warm Springs, Oregon; Lower Brulé, South Dakota; and Yakama, Washington. The work on the Warm Spring and Yakama reservations is nearly completed. It has been much retarded among the Pottawatomies and Kickapoos by the determined opposition of a small faction.

PURCHASE OF CHEYENNE AND ARAPAHOE RESERVATION.—The deed for the release to the United States by the Choctaws and Chickasaws of the land formerly embraced in the Cheyenne and Arapahoe Reservation has been approved, and $2,942,650 has been paid in pursuance of the act of Congress. While the propriety of this payment

has been much questioned, it had ceased to be a matter for executive consideration, and the law was executed in accordance with its requirements.

KICKAPOO PURCHASE.—Under an agreement, approved March 3, 1893, allotments are to be made in severalty to the Indians belonging to the Kickapoo tribe. Each allotment is to consist of 80 acres. The population of the tribe numbers 325. The area of the reservation is 206,466 acres. The allotment will soon be completed, and will leave 175,000 acres of magnificent land to be opened for settlement. It is claimed that no land heretofore opened surpasses it in value for agricultural purposes.

COMMISSIONS AND NEGOTIATIONS FOR REDUCTION OF RESERVATIONS.—The commission to reopen negotiations for the cession of a portion of the Shoshone Reserve in Wyoming failed to reach an agreement with the Indians.

A bill is now before Congress providing for the procurement of the consent of the Indians for the restoration to the public domain of the Walker River Reservation in Nevada; also, the reduction of the Pyramid Lake Reservation to a greater extent than was contemplated in the agreement made with the Pyramid Lake Indians October 17, 1891, which agreement failed of ratification by the Senate.

The Indian appropriation act of March 3, 1893, provides for the appraisal, by a commission, of such portions of the lands allotted to the Puyallup Indians in Washington as are not needed by them for homes, and of that part of the agency tract not needed for school purposes; also for the sale of the aforesaid lands at public auction after the consent of the Indians thereto shall have been obtained. The net proceeds of the sales of allotted lands are to be placed to the credit of the respective allottees, and the net proceeds of the sale of the agency tract are to constitute a school fund for the tribe.

An agreement, dated October 1, 1892, with the Siletz Indians in Oregon, ceding for $100,000 about 178,840 acres, was submitted to Congress, but not acted upon.

An agreement with the Nez Percés in Idaho, dated May 1, 1893, for the cession for $1,626,222 of about 542,074 acres, has not yet been transmitted to Congress.

The same is true of an agreement dated December 31, 1892, with the Yankton Sioux, ceding some 168,000 acres for $600,000 plus $20 for each male adult of the tribe.

March 3 last, Congress ratified three agreements made by the Cherokee Commission: the agreement of October 21, 1891, made with the Tonkawas in Oklahoma; the agreement of November 23, 1882, with the Pawnees, by which they ceded all their reservation, subject to allotment of lands in severalty, for $1.25 per acre; the agreement of December 19, 1891, with the Cherokees, for the cession of Cherokee Outlet, containing a provision for the making of about seventy allotments

thereon. The lands covered by these three agreements were thrown open by Presidential proclamation at 12 o'clock noon, September 16, 1893. They aggregate some 6,361,135 acres.

The Chippewa Commission has succeeded, up to September 1, 1893, in removing 643 Chippewas to the White Earth Reservation; 85 others after removal returned to their former homes. Allotments of 80 acres each have been made at White Earth to 2,209 Indians.

A commission has appraised certain grazing and timber lands of the Round Valley Reservation, Cal., at a valuation of $115,938.26, and the improvements thereon at $12,250. These lands are to be disposed of at public sale, the proceeds to be placed to the credit of the Indians.

The agreement concluded with the Turtle Mountain Chippewas for the cession of a large tract in North Dakota failed of ratification by the last Congress. Until this is ratified, nothing can be done in the way of allotting lands and permanently settling these Indians.

COMMISSION TO TREAT WITH THE FIVE CIVILIZED TRIBES.—The act of Congress approved March 3, 1893, provides for the appointment of three commissioners to enter into negotiations with the Cherokee Nation, the Choctaw Nation, the Chickasaw Nation, the Muscogee or Creek Nation, and the Seminole Nation, for the purpose of extinguishing the national or tribal title to any land within the Indian Territory now held by any and all of such nations and tribes, either by cession of the same, or some part thereof, to the United States, or by the allotment or division of the same in severalty among the Indians of such nations and tribes respectively as may be entitled to the same, or by such other methods as may be agreed upon between the several tribes and nations referred to, or each of them, with the United States, with a view to such an adjustment upon the basis of justice and equity as may, with the consent of such nations or tribes of Indians, so far as may be necessary, be requisite and suitable to enable the ultimate creation of a State or States of the Union which shall embrace the lands within said Indian Territory.

This important commission has been appointed, and consists of Hon. Henry L. Dawes, of Massachusetts; Hon. Archibald S. McKennon, of Arkansas; and Hon. Meredith H. Kidd, of Indiana.

The thickly settled condition of the country immediately contiguous to the Indian Territory has rendered it impossible to keep out intruders. In the Chickasaw Nation alone there are over 49,000 whites and only 3,000 Indians. The Territory is traversed by railroads. The progress of civilization has crossed its borders, and the time must soon come when, for the protection of the people within its limits, the laws of the United States must be made applicable thereto. It is earnestly to be hoped that the commission may be able to reach satisfactory terms of agreement with the respective nations for the purpose of speedily accomplishing a result so much to be desired.

IRRIGATION.—The last Indian appropriation act provides $40,000 for irrigation on Indian reservations, a portion of which sum is to be

used in sinking artesian wells on the Pine Ridge, Rosebud, and Standing Rock reservations.

A fine artesian well, with a flow of 780 gallons per minute, has been developed at the Pierre school, South Dakota.

The construction of dams, ditches, etc., is in progress on the Crow Reservation in Montana, paid for out of tribal funds.

The Blue Mountain Irrigation and Improvement Company and the Umatilla Irrigation Company, both of Oregon, are to construct irrigating reservoir, ditches, etc., on and across the Umatilla Reservation under acts of January 12, 1893, and February 10, 1891. The Umatilla Indians are to be compensated for lands taken for such purposes and to have the privilege under departmental regulations of utilizing for their own benefit the irrigation facilities thus furnished.

Upon the Navajo Reservation Army, officers have made a careful survey with contour map, showing in detail how a water supply may be developed upon that barren reserve. For the carrying out of their recommendations $60,000 is now available, and the Commissioner has recommended that a competent man be appointed to superintend the work.

During the last fiscal year the expenditure of some $42,554 for irrigating purposes was authorized. The principal part of this money was assigned to the Pima Reservation, Ariz.; Yakama, Wash.; Western Shoshone, Pyramid Lake, and Walker River reservations, Nev.; Flathead, Mont.; Fort Hall, Idaho; Uuray Reservation, Utah.

CASH PAYMENTS.—During the year there was paid in cash to Indians other than the five civilized tribes $3,071,211, of which $975,147 was paid in return for supplies or services furnished. This latter sum stands for no small amount of labor on the part of the Indians, and is, of course, of vastly greater benefit to the recipients than would be a much larger amount paid to them without exacting any labor in return.

FIELD MATRONS.—The appropriation of $5,000 will keep only seven field matrons in the service, but, small as is the territory covered and intangible as are many of the results, the work has proved of great value in hastening Indian civilization and putting it upon the right basis, which is the home basis.

During the three years of their employment, field matrons have been assigned to the following tribes: Yakamas, Cheyennes and Arapahoes, Mission Indians, Poncas in Nebraska, Mexican Kickapoos, Sioux, Navajoes and Moquis, the aim being to place them mainly among tribes who have received, or are about to receive allotments, and who are endeavoring to adopt new modes of living.

Their duties cover everything connected with domestic work, sewing, care of children, nursing the sick, improvement of house and premises, organizing of societies for mental, moral, and social advancement of old and young, and, in fact, anything which women of good judgment, quick sympathies, fertility of resource, large, practical experience.

abundant energy, and sound health can find to do among an ignorant, superstitious, poor, and confiding people. Kindly house to house visitation, with practical lessons then and there of how to do what needs to be done, is the method employed, coupled with much hospitality and frequent gatherings in the home of the field matron, which home serves always as an object lesson, and often as a refuge.

I cordially endorse the recommendation of the Commissioner for the renewal of the appropriation for field matrons.

SALE OF LIQUOR TO INDIANS.—Much trouble has arisen from the sale of liquor to Indian soldiers, who, in turn, furnish it to Indians on the reservations. Officers commanding military posts have been greatly embarrassed by the excessive drinking of the Indian troops, who, being refused liquor at post canteens, are able to get all the whisky they can pay for from saloons near by. The Indian Office has instructed its agents that Indians enlisted in the Army are still under their charge, as far as the duty of protecting them from degrading influences is concerned. It accordingly directed the agent for the Colville Agency to confer with the United States district attorney for the district of Washington, with a view to having indictments brought against one Fox for the sale of whisky to Indian soldiers. Fox was arrested and the United States jury indicted him on three charges. Although he was acquitted of the charge of selling whisky to the Indian soldiers, the court decided "that Indians enlisted in the Army are still under the charge of an Indian agent, within the meaning of section 2139, Revised Statutes; and that it is unlawful to dispose of spirituous liquors to them." If this doctrine was adhered to, and generally enforced by the courts, it would result in lasting benefit to enlisted Indians, to the Army of which they form a part, and to the Indian service generally.

INDIAN DEPREDATIONS CLAIMS.—The matter of the payment of claims arising out of depredations by Indians upon the property of citizens of the United States, and the recent legislation of Congress in relation thereto, is a subject for the gravest consideration; but, as the matter may affect the economic administration of the Government and largely increase the demands upon its Treasury, it would seem not improper to direct the attention of Congress to the subject.

In the earlier days of the Republic, commencing with the act of May 19, 1796 (1 Stat., 472), Congress, in legislating upon the matter of Indian depredations and directing what steps might be taken to demand through our officers reparation from the Indians, guaranteed to the party injured "eventual indemnification." This guaranty was repeated in about the same words in subsequent acts until it was expressly repealed by act of February 28, 1859 (11 Stat., 401).

It is to be observed also that up to the passage of the act of June 30, 1834 (4 Stat., 731), there was no limitation prescribed as against depredation claims; but that act provided that such claims must be

presented to the officers of the Government within three years after the commission of the injury.

Under this legislation a few claims of citizens were paid by the Department, but after the repeal of the "eventual indemnification" clause, Congress, in section 4 of the Indian appropriation act of July 15, 1870 (16 Stat., 335, 360), prohibited the payment of claims for depredations out of any moneys thereby or thereafter appropriated for the expenses of the Indian department for annuities or for the care and benefit of any of the Indian tribes named in said act. And it was declared that no claims for Indian depredations should thereafter be paid without a specific appropriation therefor.

The whole of said section is carried into section 2098 of the Revised Statutes, which is as follows:

> No part of the moneys which may be appropriated in any general act or deficiency bill making appropriations for the current and contingent expenses incurred in Indian affairs, to pay annuities due to or to be used and expended for the care and benefit of any tribe or tribes of Indians, shall be applied to the payment of any claim for depredations that may have been or may be committed by such tribe or tribes, or any member or members thereof. No claims for Indian depredations shall be paid until Congress shall make special appropriation therefor.

From time to time since the foregoing legislation, Congress has made further enactments in regard to the investigation of and report upon these depredations claims by the Secretary of the Interior, and has made appropriation to aid in said investigations. But otherwise the law remained substantially as it was upon the passage of the act of July, 1870, until the enactment of the more recent legislation as contained in the act of March 3, 1891 (26 Stat., 851).

By this act, jurisdiction is conferred upon the Court of Claims to "inquire into and finally adjudicate"—

1. All claims of citizens of the United States for depredations by Indians belonging to any tribe or band in amity with the United States;

2. All cases which have been examined and allowed by the Indian Department;

3. Also, all cases authorized to be examined by the Secretary of the Interior, under the act of March 3, 1885 (23 Stat., 376), and subsequent acts.

By the second section all questions of limitations, as to time and manner of presenting claims, are waived, and no claim is to be excluded because not heretofore presented to the Secretary of the Interior or other officer or Department of the Government. But no claim accruing prior to July 1, 1865, "shall be considered by the court unless the same shall be allowed, or has been or is pending, prior to the passage of the act, before the Secretary of the Interior, Congress, or some officer authorized to inquire into such claims."

Judgments are to be rendered for all claims examined and allowed by the Secretary of the Interior, under the provisions of the act of

March 3, 1885, unless claimant or the United States elect to reopen and try the case before the court.

The court shall determine the value of the property taken or destroyed, "and, if possible, the tribe of Indians or other persons by whom the wrong was committed, and shall render judgment in favor of the claimant *against the United States*, and against the tribe of Indians committing the wrong, *when such can be identified*."

Judgments rendered against any tribe of Indians shall be deducted and paid—

First, from the annuities due said tribe.

Second, if no annuities are due, then from other funds due the tribe arising from the sale of their lands.

Third, if no such funds are due or available, then from any appropriation for the benefit of the tribe other than for their current and necessary support and education.

Fourth. If no such annuity, fund, or appropriation is available, then the amount of the judgment shall be paid from the Treasury of the United States and charged against annuity, funds, or appropriation which may thereafter become due from the United States to such tribe.

The Attorney-General is to report to Congress a list of all final judgments against the United States which, if not otherwise paid, are to be appropriated for out of the Treasury.

It will be seen by this sketch of the legislation on the subject that the experiment of "eventual indemnification" of the earlier days was repudiated and abandoned in 1859. Doubtless Congress was induced to take this action by the increasing number of claims being presented, notwithstanding the three years' limitation against them established by the act of 1834. But after the lapse of thirty years Congress seems again to have radically changed its policy on this subject, striking down the barriers of limitations, and so legislating as practically to make the United States primarily liable for most of the alleged depredations.

The judgment is to be rendered "against the United States, and against the tribe of Indians committing the wrong, when such can be identified." Thus, whether the Indians be identified or not, invariably the judgment, if there be one, is to go against the United States. How often will it be possible to make this identification? Such acts are usually committed, not by tribes, but by a few marauders, by stealth, under cover of darkness, or under circumstances which almost preclude the possibility of obtaining such evidence as would be sufficient to enable the court to fix the liability.

Under the law, it is sufficient for the claimant to show that the act was done by "Indians," without troubling himself to identify them as belonging to any particular tribe or band. Why, then, should he put himself to that trouble when, by omitting to do so, the United States must become his debtor and paymaster? Already, I learn, unofficially,

that judgments have been rendered against the United States where identification of the tribe was not satisfactorily shown.

Certainly the claimant is in no way benefited by producing satisfactory evidence on this point; for it will not strengthen his case to prove the loss was occasioned by any particular tribe, if he prove it was done by "Indians." The only effect of such proof would be to enable the Government ultimately to indemnify itself out of the funds of the particular tribe after the judgment is paid, which is primarily entered against it. And the sense of patriotism, or of justice to the Government, is hardly strong enough among the class who represent these claims to induce them to do more than is necessary for their own personal interests.

But apart from this legal question the effect of such legislation, if it has any effect, would be to deprive the Indians, in many instances, of a means of support.

Experience has taught that this class of Indians must be controlled and furnished with means of support or else exterminated, for with the limitations necessarily imposed upon them they can not exist under present conditions without aid. Should the appropriation intended for their support be consumed by the payment of depredation claims, principles of economy and the instincts of humanity would demand a second appropriation to meet their needs, and it is therefore apparent that under the existing legislation the payment of these claims will eventually devolve upon the Government. And should this legislation remain upon the statute books, with the facilities it affords for depleting the National Treasury, it is not an exaggeration to say that the claims would easily absorb many millions of dollars.

Should the Treasury be subjected to this strain? This is the question submitted.

Election Troubles in the Choctaw Nation.—The domestic strife which has existed for the past twelve months in the Choctaw Nation has been so serious that the public have heard from it frequently through the press. The Choctaws have long been considered one of the most conservative and quiet of the Indian nations, but the bitterness engendered during the campaign for the election of Principal Chief, held during the month of August, 1892, grew so intense that a civil war has been prevented only by the interference of the United States and the presence of troops. It is needless to determine which side is in the right. Wilson N. Jones was declared elected by the duly constituted authorities. The friends of his opponent, Jacob B. Jackson, were charged with committing many outrages.

The effort of the Choctaw government to apprehend and to punish these men, all of whom were members of the Jackson party, and the methods adopted to accomplish this end produced the intense state of excitement which caused the Jackson men to rise in arms, and Governor Jones to call out his militia for the purpose of suppressing them. The

men under arms were induced to return to their homes and the militia were disbanded. On the 17th of June, nine men charged with murder, who had surrendered to the authorities in September, 1892, were convicted and sentenced to be shot. It was believed by the Department that the execution of these men would serve to intensify the bitterness and produce another uprising, it being claimed by the friends of the men that it was impossible for them to obtain a fair trial in the courts controlled by the opposing faction.

The treaty between the Choctaw Nation and the United States provides that the United States shall interfere for the purpose of protecting the Choctaws from domestic strife. In pursuance of the obligation placed upon the Department by this provision of the treaty, an Indian inspector was sent to confer with Governor Jones and to advise all reasonable clemency on the part of the Choctaw government towards the men sentenced to be shot. So far the suggestions of the Department have been followed and the convicted men have been granted new trials. A willingness has been expressed by those in authority to have these cases transferred for trial to the United States court. A bill is now pending before Congress extending the jurisdiction of the United States court in the Indian Territory so as to include the right of removal of all cases, where local prejudice is shown, without regard to the citizenship of the parties. I recommend the prompt passage of such legislation.

CHIPPEWA AND MUNSEE INDIANS IN KANSAS.—Recommendation is renewed that Congress be asked to grant authority to issue patents in fee to the allottees of the several tracts, or to those assigns whose conveyances have been approved by the Department, and that such lands as are vacant or abandoned, including their school and mission lands and the tract on which the school house was located, be appraised and sold by the Commissioner of the General Land Office, the net proceeds arising from the sale to be funded for the use and benefit of those members of said tribes born since the allotments were made or who have never received an allotment.

EASTERN BAND OF CHEROKEES IN NORTH CAROLINA.—The suit instituted by the Attorney-General some years since in the United States circuit court for the western district of North Carolina to establish a clear title to the lands in that State claimed by the Eastern Cherokees has been postponed till another term of the court.

NORTHERN CHEYENNES IN MONTANA.—There is an unsettled condition of affairs among the Northern Cheyennes in Montana, owing to the encroachments by white settlers upon their reservation, and also upon certain nonreservation lands long claimed and occupied by that tribe. The Commissioner recommends that Congress should enact such legislation as will put the Indians in possession of their entire reservation, and authorize the purchase of the lands of those settlers who have acquired rights thereon prior to its establishment by Executive order on October 1, 1884, and the removal of all other white settlers therefrom,

and a change of the eastern boundary line so as to enlarge the reservation.

A bill to this effect was introduced into the Senate at the last Congress, but it was not passed.

THE SOUTHERN UTES.—Want of action upon the agreement concluded with the Southern Utes November 13, 1888, has had an unfavorable effect upon the Indians, prevents the work of allotment, and creates a general disinclination to agricultural pursuits or home-making except of the most temporary character.

PENSIONS.

PENSION ROLL.—By the report of the Commissioner of Pensions, it appears there were on June 30, 1893, 966,012 pensioners borne upon the rolls of the 18 pension agencies, being 89,944 more than were carried on the rolls at the close of the last fiscal year. These pensioners are classified as follows:

Widows and daughters of Revolutionary soldiers	17
Army invalid pensioners	360,658
Army widows, minor children, etc	107,622
Navy invalid pensioners	4,782
Navy widows, minor children, etc	2,583
Survivors of the war of 1812	86
Widows of soldiers of the war of 1812	5,425
Survivors of the Mexican war	14,149
Widows of soldiers of the Mexican war	7,369
Survivors of Indian wars (1832 to 1842)	2,544
Widows of survivors of Indian wars (1832 to 1842)	1,338
Army nurses	284
Act of June 27, 1890:	
Army invalid pensioners	365,084
Army widows, minor children, etc	77,838
Navy invalid pensioners	12,119
Navy widows, minor children, etc	4,114

The total amount expended for pensions during the fiscal year was $156,740,467.14.

The amount due 5,961 pensioners June 30, 1893, who were not paid for want of time, and who were to be paid out of the funds appropriated for the fiscal year 1894, is $1,309,945.29.

The Commissioner estimates that the appropriation of $165,000,000 for the fiscal year 1894, will be ample. It is almost certain that several millions will be turned back into the Treasury.

The estimates for the fiscal year 1895, $160,000,000, have already been submitted.

PENSION LAWS.—The Commissioner recommends a codification of the pension laws, with such slight changes as will make them harmonious. At present they consist of many separate acts, framed with little reference to each other, and often giving rise to perplexing questions in the settlement of claims for accrued pensions, etc.

WORK OF THE BUREAU.—Precedence is no longer given in the Bureau to cases under the act of June 27, 1890, but claims for pension under the prior laws, for disabilities of service origin, are now adjudicated in their order, where the evidence is complete. So far from holding back this class of claims, I agree with the Commissioner that they should have precedence as being older and more meritorious.

SPECIAL EXAMINATION DIVISION.—An intelligent corps of special examiners is of the highest importance, not only for the discovery and prevention of frauds, in which they annually save the Government many times the amount of the expense incurred, but for the discovery and bringing to light evidence which will aid honest and deserving claimants in establishing their claims. Their sole duty and aim is to get at the real facts of every case examined; and all examinations of witnesses relative to particular claims are made after notice to the claimants, who may participate therein, and may themselves procure witnesses for examination.

The work of this division has largely increased, and its force should be augmented. An additional appropriation of $300,000 has been asked for the present fiscal year for the per diem and expenses of special examiners.

LAW DIVISION.—The Law Division is charged with very imporant duties, including all matters relating to the standing and conduct of attorneys and claim agents and their fees; all questions of law arising in the Bureau, and upon appeals to the Secretary of the Interior, and all cases of fraud or improper practices brought to light by the special examiners, or otherwise. The chief of the Law Division and his principal assistants are men of superior ability and attainments, and are well deserving of higher compensation than they are now receiving. It seems but just that they should have salaries corresponding with those of the principal officers of the Medical Division.

CERTIFICATE DIVISION.—Certificates issued during the fiscal year:

The total number of certificates issued	192,188
The aggregate of persons added to the rolls	123,634
The total number dropped from all causes	33,690

First payments were made upon 184,494 claims, amounting to $33,756,549.38.

First payments were made upon 127,986 original claims, amounting to $26,815,608.89.

First payments upon old law increase claims, and additional claims under the act of June 27, 1890, amounted to $4,081,284.76.

The average value of all original payments during the year was $209.52. Average of same under act of June 27, 1890, was $170.36.

The average annual sum paid to the 966,012 pensioners on the rolls was $130,510,179.34, and the average annual value of each pension was $135.10. There remained at the close of the year, in the hands of agents and in the Treasury, an unexpended balance of the appropriation, $2,437,371.40.

During the past five fiscal years certificates have been issued as follows:

1888	113,173	1891	250,565
1889	145,298	1892	311,589
1890	151,658	1893	192,188

LAND WARRANTS.—During the year there were issued 11 bounty-land warrants; 298 claims for land warrants were rejected, and 113 such claims were pending at the close of the year.

SURVIVORS AND WIDOWS OF FORMER WARS.—Fifteen widows and two daughters of veterans of the Revolution constitute the pension roll of that war. Eighty six survivors of the war of 1812 constitute the remnant of that list.

THE ANNUAL VALUE OF THE DROPPED-PENSIONERS' ROLL.—The annual value of the 33,690 pensioners dropped from the roll was $4,878,146.21.

PENSION FRAUDS.—The report of the Commissioner calls attention to the fact that wholesale frauds were discovered by the work of intelligent special examiners at Norfolk, Va., and in New Mexico and Iowa. In the first two instances mentioned, hundreds of fraudulent pension claims had been allowed by the Bureau upon testimony manufactured and forged by the claim agents, and other hundreds of like claims from the same claim agents were pending in the Bureau.

In the Iowa case, the claim agent had secured control of several local medical boards. This was usually accomplished through insidious methods, as by having the claimant, a brief time before examination, go to the member of the board for prescription or treatment, paying his fee and repeating this practice so often that the surgeon could not fail to understand that the real object was to give him additional pay from the claimant to induce a high rating for his client. The Commissioner promptly dismissed the examining boards, and the agents and some of the examining surgeons are now being prosecuted.

The stoppage of payment of illegal pensions in these three places alone has saved the Government an amount annually nearly equal to the expense of the entire force of special examiners. When it is remembered that this work of the examiners has been in progress for but six months, and that the payment of the pensions would have continued for an average of nearly twenty years, the immense saving to the Government can be realized.

Besides, these pensions were being obtained through fraud, and how can public money be better spent than to prevent dishonesty?

ACT OF JUNE 27, 1890.—Under this act, aside from the requisite services and honorable discharge, there is but one condition that can give a right to pension, viz:

> A mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates from the performance of manual labor in such a degree as to render them unable to earn a support.

On the 15th day of October, 1890, Order 164 was issued by the Commissioner, with the approval of the Assistant Secretary. It directed that specific disabilities should be rated under the act of June 27, 1890, as they would have been rated under the schedules then in force for disabilities of service origin, up to $12 per month. The medical referee stated in answer to an inquiry that under this order the capacity of claimants to perform manual labor was not considered in adjudicating their claims.

On January 7, 1893, Assistant Secretary Bussey, in the application of Henry W. Weike for pension, officially construed the act of June 27, 1890, and held that to entitle the applicant to pension the disability must be of a character to incapacitate from the performance of manual labor in such a degree as to produce inability to earn a support. While this was the clear language of the act of Congress, Order 164 had caused its erroneous disregard by the Pension Bureau. A copy of the decision in the Weike case will be found in the appendix.

On May 27, 1893, in the Bennett case, this question was again before the Secretary's office. The decision in the Weike case was affirmed, and the Commissioner was directed to have an examination made to determine what pensions had theretofore been allowed under the second section of the act of June 27, 1890, in disregard of the terms of said act, and in conflict with the ruling of the Department in the case of Charles T. Bennett. A copy of the decision in the Bennett case, and the order setting aside Order 164, will be found in the appendix.

In pursuance of this order, a board of revision was formed of the ablest and most experienced men in the Pension Bureau, with instructions to examine the cases allowed under the act of June 27, 1890, and to cull out such as had no legal basis to rest upon. In cases where it was believed that the pensions could not be sustained, and another medical examination was thought necessary, the payment of the pensions was ordered to be suspended pending investigation. This was done by the Commissioner of Pensions in pursuance of the uniform practice of the Bureau as it had existed almost from the organization thereof.

The pensioner was not dropped from the rolls, but payment of his pension was suspended, and the usual sixty days notice was given to the pensioner in which he could ask for a medical examination, or supply further evidence of his right to a pension. The examination of his proof having disclosed that he was not entitled to a pension, he was told that the payment of his pension was suspended until he could put on record a case which would authorize payment according to the terms of the act of Congress.

It was found that many thus suspended were able to supply the proof, when notice was given that proof was required; and to these, payment was at once resumed. The former practice in regard to suspensions

was also modified in cases where the proof on file disclosed the fact that the pensioner was entitled to some rating, although not to the rating which had been allowed him. A copy of this order will be found in the appendix.

BOARD OF PENSION APPEALS.—The work of this board comes under the immediate supervision of the Assistant Secretary. Its duties involve the investigation of such cases as are appealed from the decisions of the Commissioner of Pensions. While, theoretically, the Secretary passes upon all these applications for review, for years it has been impracticable for him even to read and sign the decisions. They are prepared by the members of the Board of Pension Appeals, and with the exception of cases involving some new principle of importance, are approved and returned to the Commissioner of Pensions by the Assistant Secretary.

A full presentation of the work of the Board of Pension Appeals will be found in the report of the Assistant Secretary contained in the appendix.

THE PATENT OFFICE.

The report of the Commissioner of Patents upon the business of the Patent Office for the fiscal year ended June 30, 1893, shows that, including applications for patents for inventions, for designs, reissue patents, for registration of trademarks, labels, and prints, and for caveats, the total number of applications received was 45,938; number of patents granted, 23,471; trademarks and prints registered, 1,885; patents withheld for nonpayment of final fee, 3,679; letters patent expired, 13,672.

The total receipts were $1,288,809.07 and the expenditures $1,111,444.22, leaving a surplus of $177,364.85 to be turned into the Treasury and increasing to $4,279,805.94 the amount in the Treasury to the credit of the patent fund.

Comparative statement.

	Receipts.	Expenditures.
June 30, 1889	$1,186,557.22	$999,697.24
June 30, 1890	1,347,203.21	1,081,173.56
June 30, 1891	1,302,794.59	1,145,502.90
June 30, 1892	1,268,727.35	1,114,134.23
June 30, 1893	1,288,809.07	1,111,444.22

Number of applications for patents, including reissues, designs, trade-marks, labels, and prints—

June 30, 1889	39,702
June 30, 1890	43,810
June 30, 1891	43,616
June 30, 1892	43,544
June 30, 1893	43,589

Applications awaiting action on the part of the office—

July 1, 1889	7,073
July 1, 1890	6,585
July 1, 1891	8,911
July 1, 1892	9,447
July 1, 1893	8,283

The Commissioner states that, while impressed with the necessity of strict economy in the administration of his office, he has found that the proper development of the patent system demands two important additions to the resources of the office, in order to properly assist the applicant to secure his patent and to serve the public by preventing the issue of duplicate or otherwise invalid patents.

In the interest of applicants he proposes to establish a classification division for the purpose of philosophically classifying the 533,077 patents already issued, together with the entire mass of foreign patents and printed publications constituting the field of search in the case of every application for patent, and he recommends that the following force be provided for this work: One chief of division, at $2,750 per annum; 2 first assistant examiners, at $1,800 each; 2 second assistant examiners, at $1,600 each; 3 third assistant examiners, at $1,400 each; 36 fourth assistants, at $1,200 each; 4 clerks, 2 at $1,200 and 2 at $1,000 each; 2 copyists, at $900 each; and 2 assistant messengers, at $720 each. Incident to the proper inauguration of this policy, he also recommends the increasing of the appropriation for the scientific library to $10,000.

The Commissioner further proposes in the interest of the public to provide a systematic method of examination of industries to which patents pertain as they actually exist in the country at large. Patents now go to issue upon the result of searches among books and documents, and the disparity is often wide between industries as there exhibited and as actually conducted in factories and in commerce. To carry this policy into effect it is necessary that some part of the examining force be detailed temporarily to acquaint themselves in a practical way with the industries to which the work of their respective divisions relates, and an appropriation for this purpose of $1,250 is recommended.

An appropriation of $750 is also urged as necessary to provide for the transportation of patents and publications to foreign countries and to permit of the acceptance of foreign exchanges; the declination of valuable exchanges often becomes necessary, owing to lack of funds to pay for the transportation of the same.

The increase of the issue of the Official Gazette of the Patent Office is suggested, in order that it be furnished free to small libraries other than public libraries, when they are accessible to mechanics, inventors, or students. The present law, act of May 18, 1872 (17 Stat., 131), requires that the libraries should be free in order to have the Gazette

free, and this excludes nearly all maintained by associations, trades, and business establishments for the benefit of those connected with them. The necessity for the amendment of the law is apparent.

Attention is called to the fact, of which mention has been made in previous reports, that there are seventy-six copyists in the Patent Office receiving a salary of but $720 per annum, whereas the lowest salary paid copyists in the other bureaus of the Department is $900. It is submitted that such discrimination is unjust and unwise, and has the effect of causing the loss, from time to time, of trained employés, who seek transfers to other bureaus in which, for the same service, they will receive $900.

The Commissioner adverts to the overcrowded and congested condition of the office as an obstacle to the transaction of public business, repeatedly brought to the attention of Congress by his predecessors, and concludes that—

> With the growth of the office it is worse to-day than ever before in the history of the system. The crowding of the employés and the defects of ventilation, light, and heat are such as are not tolerated in private business establishments and would not be permitted by any factory inspector in a State having factory laws. In my judgment it is not only a public loss, but a daily wrong to the employés of the Government. It will never be righted, nor can the public business be transacted with reasonable dispatch, until this Bureau is accorded the exclusive occupancy of the Patent Office or until a new and commodious Patent Office building is authorized and built.

There can be no doubt that additional buildings must be constructed for the Department of the Interior. The Patent Office should occupy alone the building erected for it, while the other bureaus, with the exception of the Pension Bureau, should be provided with suitable permanent quarters.

CENSUS.

The Census had already been in progress for so long a time when, during the month of March, it came under the control of the present administration that, at first, it was deemed wise to leave its conclusion to the former management. On the 31st of July Mr. Porter resigned the office of Superintendent of the Census, and presented a report showing that during the year the following volumes of the final report had been published, and the first two distributed: "Mineral Resources of the United States," and "Wealth, Debt, and Taxation—Part I: Public Indebtedness."

His report also showed the condition of the census on July 31, by the following table:

Titles.	Number of pages.		
	Total.	In type.	Plated.
Mineral Industries	874		874
Wealth, Debt, and Taxation	902		902
Alaska	294		294
Indians	886	127	759
Transportation	560	108	452
Insurance	768	294	474
Vital and Social Statistics	791	242	549
Manufactures	328	328	
Crime, Pauperism, and Benevolence	637	347	290
Churches			
Population	541	541	
Fish and Fisheries			
Education			
Agriculture			
Farms, Homes, and Mortgages			
Compendium, Part I	1,098		1,098
Compendium, Part II	754	148	606
Total	8,433	2,135	6,298

FINANCIAL REPORT.—The total disbursements on account of the Eleventh Census, up to and including July 31, 1893, amounted to $9,468,582.81, paid from appropriations, as follows:

Expenses Eleventh Census	$7,719,903.59
Farms, homes, and mortgages	1,151,157.12
Printing, engraving, and binding	597,522.10
Total	9,468,582.81
Grand total of pay rolls to July 31, 1893	4,146,565.00

Prior to the filing of this report, I had been led to believe that the Census was rapidly approaching completion, and that it would be finished within the time prescribed by the act of Congress, namely, December 31, 1893; but a conference of the chiefs of the various divisions satisfied me that a radical change was necessary to improve the work of the Census, and to bring it to a completion. After careful consideration, and conference with the best statisticians of the country, it was determined that the services of Mr. Carroll D. Wright should be secured to close the work. Congress promptly authorized his assignment, while filling the office of Commissioner of Labor, to perform the additional duties of Superintendent of the Census, and he was so appointed. Congress also extended the time for the completion of the Census to July 1, 1894.

I now feel all confidence that every effort is being conscientiously made to bring the Census to a close, and to render it as useful as possible when finished.

A recent report from the Commissioner of Labor in charge shows the following summary of work in the Census Office from August 1 to October 31, 1893:

Summary of work in Census Office, August 1 to October 31, 1893.

ADMINISTRATION.

Employés:		
Number on clerical roll August 1, 1893	1,050	
Dismissed, resigned, and died	187	
		863
Appointed and reinstated		122
Total October 31, 1893		985
Special agents on roll August 1, 1893	34	
Transferred to clerical roll, dismissed, and resigned	17	
Total October 31, 1893		17
Total number of employés October 31, 1893		1,002

FINANCIAL STATEMENT.

Balance to credit of appropriations August 1, 1893:		
Expenses Eleventh Census	$461,246.45	
Farms, homes, and mortgages	179,369.97	
Printing and binding	2,597.80	
		$643,214.22
Disbursements August 1 to November 4, 1893:		
Expenses Eleventh Census	210,040.58	
Farms, homes, and mortgages	25,676.55	
Printing and binding	1,098.79	
		236,815.92
Balance to credit of appropriations November 5, 1893:		
Expenses Eleventh Census	251,205.87	
Farms, homes, and mortgages	153,693.42	
Printing and binding	1,499.01	
		406,398.30

NUMBER OF PAGES IN PROOF.—The exact progress of the work from July 31 to October 31—three months—is best represented by bringing the pages of plated proof at the two dates into direct comparison, as shown in the following statement, the additional number of pages presented to plate proof during the period being 1,805:

Census reports and compendium.

Report on—	Number of pages plated.		
	August 1.	November 1.	Increase.
Total increase			1,805
Mineral industries	Complete.		
Wealth, debt, and taxation, I	Complete.		
Wealth, debt, and taxation, II			
Alaska	Complete.		
Indians	759	759	
Transportation	452	452	
Vital statistics	549	644	95
Insurance	474	768	294
Manufactures			
Crime, pauperism, and benevolence	290	869	579
Churches			
Social statistics			
Population		539	539
Fish and fisheries			
Education		150	150
Special classes			
Agriculture			
Farms, homes, and mortgages			
Compendium, I	Complete.		
Compendium, II	606	754	148

THE COMPLETION OF THE CENSUS.—A careful examination of all the work contemplated by the act providing for the Eleventh Census warrants the statement that nearly all, if not all, the principal reports called for can be put into the hands of the printer before the expiration of the present limit; that is, June 30, 1894. More than half of the reports will be completed some months prior to that date. The report on Population and that on Farms, Homes, and Mortgages may be delayed beyond the limit. Changes made in the report on Manufactures will undoubtedly enable the office to complete that part of its work late in the spring of 1894.

All text of forthcoming reports will be limited to the analyses of the statistics presented, with proper comparisons of the past with the present. While this will not shorten the time much, it will condense the reports to statistical bases and is in line with the oft-repeated policy of the Census Office, that the Eleventh Census should be purely a statistical census.

An effort is being made to bring out at an early day the reports on the three great and leading divisions of the census—population, agriculture, and manufactures.

THE COST OF COMPLETING THE CENSUS.—The present force is as large as can be economically employed. As the census draws to a close the highest grade of clerical service is required, and many clerks who were perfectly competent during the cruder parts of the tabulation, now prove to be incompetent when the best arithmetical skill is required. It is also difficult to distribute a large force when the final tabulations and revisions and compilations are being made, but the present force can be maintained for several months.

The appropriation now available will allow this up to the 1st of February, 1894, when additional appropriations will be absolutely necessary. For the clerical work of the census a new appropriation, something less than $400,000, will be ample to complete it. Specific statements can be made later on, and which will show more clearly the exact sum necessary.

Extra provision will have to be made for the printing and binding of the final results of the census. It will also be necessary to provide for the binding of the original returns of the Eleventh Census. The cost of binding the returns of the Tenth Census was about $2 per volume. As the schedules employed in 1890 were much smaller than those in 1880, the cost need not exceed from $1 to $1.25 per volume, but the number of volumes will aggregate nearly 18,000. Provision should be made at an early date for binding this number of volumes of original returns.

In all probability, therefore, the completion of the Eleventh Census will require, in round numbers, further appropriations to the extent of $500,000. Of course, should Congress order large numbers of any specific reports, especial provision will be made for printing them.

GEOLOGICAL SURVEY.

The money appropriated for the work of the Geological Survey for the fiscal year 1892–'93 was $376,000, while for the preceding year it was $596,000. This reduction of $220,000, or about 37 per cent, necessitated extensive reorganization and curtailment of work. Such reorganization was promptly effected after the passage of the annual appropriation bill, and the Bureau adjusted to the new condition. The adjustment was so arranged as to impair the efficiency of the Bureau as little as possible.

Little change was necessary in the topographic branch of the work, and the surveys carried on as in former years yielded 91 manuscript atlas sheets, covering 26,000 square miles, situated in 21 States and Territories. In the geologic branch, the energies of the force were almost wholly given to completing office work on field observations already made and data gathered. This resulted in the completion of a large number of geologic atlas sheets ready for publication, and in the arrangement of a large amount of geologic notes ready for either publication or for permanent preservation in the archives of the Survey.

In the paleontologic branch, the same general policy was pursued. Substantially no field work was done, and the work of such paleontologists as were retained in the Survey was given to the study and arrangement of the collections and material already gathered. Work in chemistry was confined similarly to the absolutely essential routine analyses needful in connection with the work of the geologists. The work on the physical characteristics of rocks and in terrestrial physics which has been carried on almost from the organization of the Survey, and which has yielded many interesting and valuable results, it was found necessary to discontinue.

In the accompanying report of the Director of the Geological Survey, will be found a summary of the work done and the results achieved by this laboratory, and a summary of the work accomplished by the paleontologic branch, showing their relations to the other work of the Survey and their economic importance to the great industries of the country.

The value to scholars, engineers, miners, and to commerce of the work carried on by the Geological Survey is attested by the growing demand for its maps, memoirs, and reports, and by the increased value of the mineral product of the country, which has increased at a much higher rate than the increase in population, largely aided, it is believed, by scientific direction and official research.

BUREAU OF EDUCATION.

The Commissioner of Education reports that he gave much time during the past year to the work of preparation for the international congresses upon education held at Chicago in connection with the World's Columbian Exposition. This work consisted in collecting by correspondence and from documents in the Bureau the names of many thousand educationists in all parts of the world, and in forwarding to them invitations to attend the congresses; also in the preparation of an elaborate programme of topics to be presented by papers and discussions. The Commissioner considers these educational congresses and the educational exhibits at the World's Fair to be of unusual significance, in view of the changes in educational systems now in progress throughout the world. He has provided for a careful study and report of the educational exhibits.

A summary of the work of the Bureau shows, among many other items, 18,271 letters, 18,049 circulars, and 27,525 statistical forms sent out, and 125,395 documents distributed; 8,959 home and foreign journals and reviews examined, and 20,773 college catalogues assorted. The educational library possesses 52,790 books and 130,000 pamphlets.

The statistics of the last year not being yet available, a comparative showing of the pupils, teachers, and expenditures of the public schools of the United States for three previous years is given, as follows:

Years.	Pupils enrolled.	Teachers.		Total expenditures.
		Male.	Female.	
1889–'90	12,722,581	125,525	238,397	$140,506,715
1890–'91	13,048,282	123,287	245,098	148,738,251
1891–'92	13,203,786	121,551	374,431	155,982,942

Two Annual Reports and eleven other documents, aggregating 5,387 printed pages, were sent within the year to the Public Printer for publication.

The process of putting in operation the act of Congress of August 30, 1890, in aid of colleges of agriculture and the mechanic arts, was completed within the year, and all the States and Territories coming within the purview of the act were recommended in June for certification as entitled to the installment of the fund for the next fiscal year. A tabulation of the financial reports of the presidents of the institutions benefited shows among other items the amounts received by each from the United States land grant of 1862, from the experiment-station act of 1887, and from the additional endowment act of 1890, in comparison with the amount received from the State and other sources.

The administration of education in Alaska has been as successful as could be expected with a reduced appropriation ($40,000 in lieu of $50,000 allowed the previous year). The assistant agent was sent on a

tour of inspection of schools throughout southeastern Alaska, while the general agent prosecuted the experiment of introducing domesticated reindeer into the Arctic regions, for which purpose Congress had made an appropriation of $6,000. The few deer placed at Unalaska and the herd of 175 at Port Clarence (with funds subscribed by private parties) were found to have thriven during the winter, showing an increase of 79 fawns and only 11 deaths. Port Clarence is a good harbor just south of Behring Strait, selected as the reindeer station by reason of its nearness to Siberia (whence the animals are obtained), its abundant pasturage, and its convenience as a distributing point. Here a comfortable house was built, and during the past winter a number of Alaskan boys were instructed in the care and management of the deer by two Siberian herders, and were taught in school by the two white teachers, who also served as superintendents of the station. This past summer 127 additional deer were imported, and the total of the herd is now 345. Great hopes are based on this experiment as a possible plan for stocking Arctic Alaska with food, providing means of transportation, and furnishing the natives a considerable list of articles of commercial value.

By reason of the decrease of the appropriation for education in Alaska, heavy reductions were made in the amounts allowed to contract mission schools; the salaries of teachers were generally reduced, and three public schools were suspended (those at Klawack, Kake, and Karluk). The still greater reduction in the appropriation for the current year ($30,000) is regretted. A reversal of this policy and a restoration of the annual grant to $50,000, the amount allowed for three consecutive years, is strongly urged by the Commissioner.

BUREAU OF RAILROADS.

The report of the Commissioner of Railroads contains full information respecting the condition for the fiscal year ending June 30, 1893, of the several railroad companies coming under the jurisdiction of his office.

AUTHORITY CONFERRED BY THE ACT OF JUNE 19, 1878.

The Commissioner explains the functions of his office, under the act establishing it, and calls attention to the neglect of certain of the land-grant railroad companies to make reports in accordance with the prescribed forms.

The most important function of the office is the ascertainment of the amounts due the Government by the several bond-aided railroad companies under the provisions of the Thurman act. The beneficiaries under this act are the Union Pacific, Central Pacific, Western Pacific, Central Branch Union Pacific, and the Sioux City and Pacific Railroad companies.

A history of Pacific railroad legislation is given, with information concerning the issues of bonds and grants of land to the railroad companies whose roads are in whole or in part west, north, or south of the Missouri River, the confluence of the Mississippi and Missouri rivers being fixed as the dividing line.

MEANING OF NET EARNINGS.—The most important question in litigation, arising under the Thurman act, *i. e.*, as to what constituted "net earnings" within the meaning of the law, was finally held by the Supreme Court to exclude expenditures for new construction and new equipment. (99 U. S., 402.)

LITIGATION PENDING.—The suit of the Union Pacific Railway Company to recover amounts collected from it on account of the earnings from the bridge across the Missouri River between Council Bluffs and Omaha, is pending in the Court of Claims, the contention of the company being that, as the bridge was not constructed by the aid of bonds, it is not subject to the requirements of law with respect to the payment of a percentage of net earnings. It is also contended that the Government is not entitled to a percentage of the net earnings derived from the operation of its Pullman association cars.

In assuming the contrary the Commissioner is sustained by the decision of the Supreme Court in United States *v.* The Union Pacific Railway Company (99 U. S., 419), wherein the court held the net earnings "must be regarded as embracing all the earnings and income derived by the company from the railroad proper, and all the appendages and appurtenances thereof, including its ferry and bridge at Omaha, its cars and all its property and apparatus legitimately connected with its railroad." Under this decision the net earnings from the sources mentioned have been included in the amounts found due from that company.

CONDITION OF THE PROPERTIES.—The Commissioner, by personal inspection, found the condition of the properties of the Union and Central Pacific railroad companies to be good. The books and accounts of the bond-aided companies were examined by the bookkeeper and the amounts due the United States carefully ascertained. Full statements of the financial condition of the companies are contained in the report.

UNION PACIFIC RAILWAY COMPANY.—The Union Pacific Railway Company, including the Kansas division, shows an increase in net earnings over the previous year of $658,184.19. The amount found due the United States under the act of 1864 (Kansas division) and the act of 1878 (Union division) was $42,081.27 in excess of the previous year.

CENTRAL PACIFIC RAILROAD COMPANY.—The net earnings of the Central Pacific Railroad Company for 1892 show a falling off of $570,019.89 as compared with 1891; the requirement for 1892, under the act of 1878, being $36,467.94 less than for 1891. This is due to the decreased earnings of the aided portion of the road.

SIOUX CITY AND PACIFIC RAILROAD COMPANY.—By reason of an increase of $106,825.22 in the amount expended for new equipment, the net earnings of the Sioux City and Pacific Railroad Company were reduced to $26,385.32, which, being insufficient to pay the interest on the first mortgage bonds, the 5 per cent of net earnings under the acts of 1862 and 1864 are not due the United States. (United States *v.* Sioux City and Pacific Railroad Company, 99 U. S., 492.) One-half the amount of Government transportation for the year, however, viz, $14,407.03, is due the United States.

CENTRAL BRANCH UNION PACIFIC RAILROAD COMPANY.—The Central Branch Union Pacific Railroad Company shows an increase in net earnings over 1891 of $107,745.56, and a corresponding increase in the amount found due the United States, under the acts of 1862 and 1864, of $13,330.79.

RECOMMENDATIONS.—In explaining that the debts of the companies are steadily increasing under the operation of law, the Commissioner calls attention to the fact that the Thurman Act is applicable only to two of the bond-aided roads, instead of to all, which latter is made the subject of a recommendation, as follows:

> I recommend that section 4 of the act approved May 7, 1878, otherwise known as the "Thurman Act," be amended so as to embrace within its provisions all of the Pacific railroads which have received from the United States bonds in aid of construction.

He also recommends that accounts for transportation services rendered the Government, including the carriage of the mails, be transmitted through his office to the proper accounting officers of the Treasury; the object being to lodge all information respecting the bond-aided roads in some *one* Bureau.

He also recommends the appointment by the President of a commission with full power to settle the indebtedness of the bond-aided companies to the Government.

The Commissioner's report is accompanied by four appendixes and six tables, giving full financial and statistical information with regard to the bond-aided and land-grant railroad companies coming under the supervision of his office.

REPORT OF GOVERNMENT DIRECTORS.

The report of the Government directors of the Union Pacific Railway Company, taken in connection with the report of the Commissioner of Railroads, is of importance. The directors report, as the result of personal examination, that the physical condition of the system is excellent. The condition and character of the motive power has never been so good, nor the freight and passenger equipment so extensive.

Notwithstanding this enlargement of the business capacity, and the improvement of the traffic facilities of the railway, the directors report a considerable decrease in earnings for the fiscal year. (The report of the

Commissioner of Railroads, in respect to earnings and expenses, was for the calendar year and for the bond-aided portion of the road only). The report upon the entire system is as follows:

	1892.	1893.	Difference.	
			Increase.	Decrease.
Earnings	$44,547,640.39	$44,240,713.27		$306,927.12
Expenses	28,521,110.25	28,695,792.20	$174,681.95	

The directors mention the creation by the company, in September, 1891, of a collateral trust, for the purpose of relieving itself from the pressure of its large and unmanageable floating debt, for which purpose substantially all the bonds, stocks, and other available assets of the company were transferred to the firm of Drexel, Morgan & Co., as trustees. By the terms of the indenture of trust it was provided that collateral trust notes, properly certified by the trustees, might be issued to the extent of $24,000,000, and that these notes should be applied to the payment or extension of the existing floating debt, which, at the time of the creation of the trust, amounted to about $20,000,000. The total amount of collateral trust notes issued was $18,710,000. The estimated value of the property and assets covered by the pledge was $42,000,000.

The amount of the outstanding collateral trust notes, which had been canceled and retired at the date of the directors' report, was $7,280,000, and the amount of notes outstanding $11,430,000; this reduction having been effected by the sale of a portion of the collateral security. The security still held by the trustees has been recently appraised by the company as follows:

Bonds (estimated market value)	$17,503,514.60
Stocks (estimated market value)	7,160,396.07
Total	24,663,910.67

The directors caution those interested, however, from inferring from the foregoing statement that the trustees disposed of securities amounting in value to $17,000,000 in order to cancel and retire $7,000,000 in notes. The difference between the estimate of to-day and that of September, 1891, including both the securities sold and the allowance made in the decreased market value of the securities, is still on hand. The directors are satisfied that a prudent administration of the trust will result in the payment of all the notes outstanding and leave a considerable equity applicable to other requirements of the company.

The directors call attention to the approaching maturity of the debt due by the company to the United States (for full details of which see Table No. 1, published as an appendix to the Report of the Commissioner of Railroads), and renew the recommendations, so frequently

made by their predecessors, for a prompt and complete adjustment of the financial relations between the company and the United States.

Their report was filed before the road was placed in charge of receivers. Since that time the interests of the Government have been under the care of the Department of Justice.

THE TERRITORIES.

NEW MEXICO.

The report of the governor states that there has been no material change in the population. The only substantial increase by way of immigration has been in localities favorable to irrigation enterprises, notably in Eddy, Chaves, and San Juan counties, and on the Maxwell grant, in Colfax County.

The total assessed valuation of the property of the Territory is $41,602,198.41. The debt of the Territory on August 29, 1893, was $911,712.27.

The total entries at the several land offices for the year ended June 30, 1893, covered 15,627,348.97+ acres. During the same period 2,343 miles of Government lines were surveyed and established, 376 plats made, 95 mineral locations surveyed, and 2,000 claims for survey of small farms, under the "small holdings" clause of the land-court act, were filed in the office of the Surveyor-General.

The court of private land claims has been busily engaged considering the numerous Spanish and Mexican land grant cases, establishing absolutely valid titles to just grants, and restoring to the public domain large areas improperly claimed. A recapitulation of the work of the court August 31, 1893, shows 262 cases filed for land in New Mexico; grants confirmed for land, 23; grants rejected, 7; cases appealed to Supreme Court by claimants, 4; by United States, 4; estimated total number of acres claimed, 1,558,875; estimated total confirmed, 739,595; cut and rejected, 819,280. The necessity of immediate surveys of the grants confirmed by the court and the small holdings passed upon by the Surveyor-General is dwelt upon.

AGRICULTURE.—Irrigation prospects, on which so much depends in New Mexico, are exceedingly promising. Not only are vast works being constructed for saving and utilizing large bodies of water now going to waste, but especial attention is being given to the cultivation of new products, such as sugar beets and canaigre, the latter being a valuable tanning agent, averaging from ten to twenty tons per acre.

Five years ago the Pecos Valley was a barren plain occupied by a half dozen cattle raisers; to-day it is a prosperous farming region, with a population of over 17,000 persons and two flourishing towns. The splendid system of irrigation in vogue in this region has brought about this wonderful development. The storage system to save the flood

and storm waters, which is nearly perfected has a capacity of over 15,000,000,000 cubic feet, the canals covering 500,000 acres, chiefly in New Mexico.

Sixty thousand acres of land in this valley have already been disposed of to farmers, and 20,000 are now actually under cultivation, yielding five cuttings of alfalfa per year of about 1¼ tons per acre per cutting. Hundreds of orchards and vineyards have been planted and are already beginning to yield abundantly. Last season in the famous Mesilla Valley, Southern New Mexico, many orchards yielded $10 per tree, and this year the yield is so large that even at curren prices the returns will be much greater.

STOCK-RAISING.—Stock-raising, owing to the severe and continuous droughts of the past, has greatly decreased, but during this summer the abundant rains over the whole Territory have caused marked improvement. In Eddy there has been quite a development in raising high-grade stock, over $200,000 worth of blooded horses and cattle having been imported into that country during the past year and a half.

MINES AND MINING.—Many mines in the Territory have closed down in the past year, owing to the decrease in the value of silver and lead and the great stringency in the money market.

The Territory possesses splendid undeveloped resources, consisting of industrial minerals and precious stones. These in the near future will yield great revenue.

There are large beds of bituminous coal situated in nearly every county, and there is an extensive body of anthracite coal near Cerrillos, in southern Santa Fe County. The quantity of coal mined during the past year at Gallup, on the Atlantic and Pacific Railroad, 292,650 tons; at Blosburg and Raton, Colfax County, 244,955 tons; at Cerrillos, Santa Fe County, 18,747 tons; at Monera, Rio Arriba County, 20,000 tons; at Carthage, Socorro County, 49,529 tons.

In the southern part of Santa Fe County, in the county of San Miguel, and in several other places are to be found large deposits of gypsum. In Dona Ana County, on the San Augustin Plains, there exists the largest deposit of this mineral known in the world, of an exceedingly pure character. Carbonate and sulphate of soda, kaolin and fire clays, and alum beds are also to be found in New Mexico.

Diligent prospecting has revealed many new deposits of precious stones, among these being turquoises of great merit, and this industry bids fair to become one of the chief economic resources of New Mexico. Among the precious stones may be mentioned the so-called Montana sapphires, garnets, milk and fire opals, peridots, a great variety of fine agates, besides petrified woods, fit for inlaying, mosaic work, or jewelry. Gold and silver quartz, valuable for fine work in jewelry, are produced from various mines.

INDIANS.—The condition of the Indians remains about the same.

The recommendation made by Governor Prince in his last report that the Jicarilla Apache Agency be made a separate and independent agency is renewed.

The two potent causes cited as responsible for the deterioration of the Navajoes are, first, the succession of very dry seasons, which have caused poor crops, a greater scarcity of forage, and consequent loss of many sheep and ponies by starvation during the winters, a poor yield of wool, and the low prices received; second, the traffic in whisky. The development of a water supply upon the reservation is urgently recommended to relieve the first source of trouble, and the appointment of special detectives or deputy marshals to secure the arrests and convictions of prominent lawbreakers engaged in selling liquor to the Indians is given as the second remedial agent.

EDUCATION.—The public schools of the Territory are steadily improving. The report of the superintendent for the year ending December 1, 1892, shows an enrollment of 23,151 pupils, with an average daily attendance of 15,832; the number of teachers employed is 557, and there are 532 school districts. The school session averages four and one-half months. The private and religious institutions of learning are reported to be in a flourishing condition.

LEGISLATION.—The last legislature passed a law providing for a county court in every county where the county seat has a population of 2,000 or more; the court to have exclusive jurisdiction in all civil causes arising in the county, except cases where the sum involved does not exceed $300, and to have concurrent jurisdiction with all justices of the peace in civil and criminal cases; and that cases now on the docket of the district court may, upon request of either of the parties, be transferred to the proper county court. Provision is made for jury trials and the preservation of testimony, and that the records and dockets of such courts be kept in the same manner as provided for district courts.

The approval of this act by Congress is strongly urged, as it will tend to relieve the congested condition of the dockets of the district courts, which have become so crowded that cases seven years old are pending therein. One provision of the act, however, is pronounced to be unwise, namely, the provision that in the first instance the judges shall be appointed by the county commissioners, and after that elected. It is claimed that in view of the present condition of society in the Territory, better and more competent judges can be obtained if they are appointed by the governor, and therefore it is considered advisable to change the act of confirmation in this respect.

ARIZONA.

The governor in his report estimates the population at 65,000, of which 11,000 are Mexicans, mostly native born; 1,200 Chinese, and

about 5,000 belonging to other nationalities. There are 35,700 Indians who are not included in the above enumeration.

The taxable property of the Territory is assessed at $28,486,183, the valuation of land being $1.50 per acre; cattle, $7.61 per head; horses, $24.18; sheep, $2; and railroads, per mile, $5,490. The total debt, including municipal, county, and Territorial, is placed at a fraction over $3,000,000, of which $1,500,000 was funded under act of Congress during the year in 5 per cent bonds, effecting a saving of $32,000 annually to the Territory through the reduced rate of interest. There remains $1,500,000 of this debt to be refunded.

PUBLIC LANDS.—During the year 143,730 acres of land were entered for settlement and improvement and are being reclaimed to agriculture by irrigation.

RECLAMATION OF LANDS AND IRRIGATION.—The settlement and cultivation of lands have been principally in the valleys, on the line of flowing streams. Not more than 10,000 acres have been successfully cultivated in the Territory without the aid of irrigation, such land being located in the valleys of high altitude.

There are 851 miles of irrigating canals, serving some 573,500 acres of land. In addition to the above there are a number of extensions of canals, constructions of reservoirs, and new canal systems in progress, which, when completed, will give in the aggregate 557 miles of canals, carrying water sufficient to reclaim over 2,044,000 acres of arid land.

THE ARID REGION.—Given the necessary means of irrigation, it is estimated that 10,000,000 acres of land in Arizona can be reclaimed. Several plans are suggested for the accomplishment of this purpose, but the policy recommended as the most conservative and practical is the ceding by the Federal Government of the arid lands to the Territory, with such limitations as to their disposal as might be deemed advisable.

It is urged that if the arid lands were under the control of the Territory they could be utilized for securing of capital necessary for their reclamation, by granting each alternate section or less of lands reclaimed as a bonus to the investors.

AGRICULTURE.—The soil of the valleys and mesa lands is full of vitality, and under the influences of irrigation yields astonishing results, two crops a year being not uncommon in many sections. Hay, especially alfalfa, is cut from four to six times annually, and cereals give a yield of from 30 to 60 bushels per acre. The horticultural interests are also being developed on a large scale and with remarkable success.

RAILROADS AND COMMERCE.—There are 1,104 miles of railroad in operation in the Territory, the Prescott and Phœnix road having constructed 60 miles during the year. When completed, this road will unite northern and southern Arizona. The total customs duties received during the year from imports at Nogales, Ariz., was $60,673.71, which is an increase of $10,675.26 over that of the previous year. Greater protec-

tion is needed for the customs district, as it is believed a large amount of illicit trade is carried on through portions of the line which it is impossible to protect with the small force of inspectors provided. The smuggling complained of is chiefly that of Chinese and opium.

STOCK RAISING.—Owing to a drought, extending over a period of the last two years, there has been a loss of from 50 to 60 per cent of range stock. The loss was in a measure aggravated by the heavy overstocking of ranges. The recent rain, however, has given cause for much encouragement in this industry for the present year. The extent and character of grazing lands, areas, rainfall, forage grasses, breeding, increase, etc., are referred to and the grant of a legal tenure to grazing lands by Congress urged. The sheep industry gave a wool cut of 10,000,000 pounds for the year.

MINES AND MINING RESOURCES.—During the year there has been great depreciation in the silver-mining industry, the output of silver being $287,426 against that of 1881, which was $6,278,893. This was the largest output for any one year. The closing of silver mines, however, has stimulated the gold-mining industry in a most satisfactory degree. The output for last year was over $1,000,000, and during the next year, it is confidently believed, the gold output will reach from $5,000,000 to $6,000,000. The copper output for the year was 38,000,000 pounds. The total value of gold, silver, and base bullion given to the country by Arizona during the last 17 years is placed at $94,293,648.

FOREST AND LUMBER.—The timber region of the Territory is located chiefly in the northern and central parts of Arizona, and covers an area of 10,750 square miles. It is estimated that the total quantity of pine timber fit for commercial purposes is 10,000,000,000 feet. The output of lumber for last year is estimated at 12,000,000 feet.

EDUCATION.—Arizona's public-school system, established in 1871, is fully abreast of the most advanced educational ideas.

Last year, there were 275 teachers employed in the public schools of the Territory. There are 214 school districts, with 15,463 children of school age, of which 9,997 are enrolled on the school list. The total amount paid in salaries was $140,712.21, and the total expenditure of maintaining the schools for the year was $205,810. The total value of school property is $329,419.49. There are also a number of denominational schools.

The Territorial Normal School, the University of the Territory, the School of Mines, and the Agricultural College are prosperous and well patronized. A Territorial Reform School was established by the last legislature for the confinement, discipline, education, employment, and reform of juvenile offenders in Arizona.

INDIANS.—The condition of the Indians, all things considered, is quite satisfactory. The Apache depredations are things of the past, largely owing to the policy adopted during the last administration of Mr. Cleveland of removing the criminal and disturbing elements

among these Indians from the Territory to distant points of the country. Lack of water for farming purposes is the greatest drawback on all the reservations, and liberal appropriations are recommended to supply this want, and thus enable the Indian to become self-sustaining by his own toil.

INDIAN SCHOOLS.—There are 7,134 Indians of school age; the population available for schools is 4,280 and the children enrolled in schools 1,202. Of this number 799 are enrolled in Arizona schools and 403 outside of the Territory. The school accommodation of the Territory for 1893 is 1,070.

These training schools have given excellent results, especially in industrial training, making good domestics of the girls and first-class farm help of the boys. The policy of sending Indian children out of Arizona to the East to be educated is questioned on the ground of health and for other reasons. The very heavy cost of transportation to and from their homes and the fact that the system of industry, especially farming, is entirely different in Arizona from that which obtains east of the Mississippi Valley, are mentioned as additional objections.

TRIAL OF INDIANS.—The trial of Indians under Territorial law has, it is claimed, proved a failure, because the Federal Government has failed to reimburse the county governments of the Territory, which have expended large sums in the prosecution of Indians; and officers, under advice from their superiors, have grown negligent in arresting and punishing Indian offenders. Should the feeling become prevalent on the various reservations that law will not be enforced, a condition of affairs might arise which would materially impede the progress of the Territory and injure the Indian.

THE COLORADO RIVER.—The improvement of the Colorado River in the interest of the western section of Arizona, as well as portions of Nevada and southeastern California, is urged.

PUBLIC BUILDINGS.—Arizona has no public buildings erected by the Federal Government, yet the customs duties and revenues collected in the district of Arizona last year reached the sum of $85,000.

Not less than $16,000 is paid annually for the rent of Federal offices. It would be economy for the Government to make appropriations for the erection of necessary buildings, as the annual rental now paid would be a most liberal interest on a sufficient sum to construct them.

PRIVATE-LAND CLAIMS.—The delay in the settlement of title to private-land claims under the Mexican Government is nearing a termination. The creation of a Court of Private Land Claims, with jurisdiction to determine these titles at once, removed this vexed question from the legislative or political to the judicial branch of the Government, where the law and the facts affecting the same could be more carefully and deliberately considered and the sacred treaty obligations determined by courts of judicial learning rather than Congressional committees. There are twenty-one of these claims in Arizona, containing an area, according to the claimants, of about 6,000,000 to 7,000,000 acres.

HEALTH AND CLIMATIC CONDITIONS.—There is probably no section of the country which possesses climatic conditions more favorable to the restoration and preservation of health, especially for those suffering from pulmonary troubles, as Arizona, especially in its southern portions.

UNDEVELOPED RESOURCES.—The undeveloped resources of Arizona are boundless. Her mountains are threaded with gold and silver veins, large deposits of iron, silver, and lead, and other metals.

An important industry in the course of development, and one which it appears will yield fabulous returns, is the production of canaigre or the tanning root, which is indigenous to this soil and climate.

The demand for this plant for tanning and other chemical purposes is so great that it can not be met by the supply, a fact which suggests its cultivation as one of the most important industries of this region. It is authoritatively stated that the cultivation of canaigre will give a profit of $100 an acre.

SOCIAL CONDITIONS.—The progress of the Territory during the year in social condition has been marked. There have been more homes established and families permanently located, especially in the Salt River Valley, than during any previous year. The increased strength of churches, reform organizations, and fraternal societies has been most gratifying.

STATEHOOD.—The report makes a strong plea for statehood, and claims for Arizona the population and taxable property to entitle it to the right of self-government.

UTAH.

The census of 1890 gives the population of Utah as 207,905. The governor in his report for the year 1893 estimates the population of the Territory as 240,805, an increase of 32,900. The population of the mining districts has decreased during the past six months because of the decline in the price of silver, while in other parts of the Territory it has increased.

The assessed value of real and personal property and improvements for 1893 is $108,860,111; and the assessed value of property in incorporated cities and towns is $94,533,352, being an increase of $7,333,270.47 over that for 1892. The indebtedness of cities and towns for 1893 is stated to be $2,098,030, which is a decrease of $17,648 from the preceding year. The residences erected in incorporated cities and towns, reported during fiscal year, are 182, valued at $218,850, and the number of business houses erected therein during said period is 42, valued at $179,500. Returns have not been received from Salt Lake City, Ogden, Provo, and Logan, the four principal cities of the Territory, but it is safe to say that hundreds of fine public and private buildings have been erected in those cities, and that hundreds of thousands of dollars have been expended in their construction.

The number of horses and mules assessed in the Territory for the year 1893 is 92,096, and the assessed value of the same amounts to $2,818,895; number of cattle, 259,925, assessed value, $2,678,055; and number of sheep, 1,374,836, value $2,648,128.

Forty-two banks of Utah show the following state of their business June 30, 1893: Capital, $5,693,643; deposits, $9,237,726. During the past year 36 miles of railroad extensions have been constructed, which, added to the previous mileage, makes an aggregate of 1,327.94 miles now in operation within the Territory.

The number of entries at the United States Land Office for the fiscal year ending June 30, 1893, is 1,719, being an average of 348,788.90, and amounting to $94,717.48. The total business of the land office at Salt Lake City, from its opening in March, 1869, to the end of the past fiscal year, is as follows: Acreage, 6,245,869.20; amount, $1,469,941.75.

The mineral product for 1892 is reported as $16,276,818.03.

PUBLIC BUILDINGS.—The rapid increase of population, business, and wealth of the Territory necessitates the erection of public buildings at Salt Lake City and Ogden, and the passage of bills for their erection is urgently recommended. The old capitol building at Fillmore should be granted to the Territory.

TERRITORIAL INSTITUTIONS.—The Reform School, located at Ogden, is doing good work; also the Insane Asylum at Provo, which had $100,000 appropriated for its maintenance during 1892 and 1893.

The University of Utah, at Salt Lake City, is permanently established, and doing well, but the present situation is too near business centers, and it is recommended that the institution be removed to a quieter location, where a larger tract of land can be secured. The report urges the early passage of the act now pending in Congress granting to the Territory a portion of the Fort Douglass Military Reservation for university purposes.

INDIANS.—The Indians of the Territory are all quiet and peaceably disposed. The number upon the Uintah and Uncompahgre Reservations is about 2,000, and the number of acres within the reservation aggregates about 4,000,000. The lands included within this reservation are some of the most fertile and well watered lands within the commonwealth. As the acreage per capita for the Indians is so unnecessarily large as to be entirely beyond reason, it is recommended that early provision be made for the allotment in severalty of suitable quantities of such land to the Indians, and that the remainder of the lands be then thrown open to the public for settlement. Any further removal of the Indians from Colorado or elsewhere to Utah would be a grave injustice and impediment to the progress of the Territory, and ought not to be considered, much less permitted.

EDUCATIONAL.—The school lands, as a rule, are unoccupied and unproductive, and of little value without irrigation.

The University and Agricultural College are maintained by direct

appropriations from the general fund; beside these, general school taxes aggregating $360,000 are annually paid, apportioned proportionately to the school population, and expended to support free public district schools. During the past two years Salt Lake City and Ogden alone have expended $750,000 raised on bonds, to erect free school houses; and hundreds of other districts have expended large sums for similar purposes, while the several churches have erected many magnificent colleges.

AGRICULTURE.—The agricultural lands of the public domain are being settled as fast as irrigation can be procured, but as the cost of constructing canals is heavy, the settlement will necessarily be slow.

UNDEVELOPED RESOURCES.—There are within the Territory, mountains of the richest iron and copper ores, vast beds of coal, sulphur, and other valuable deposits, which only need the touch of capital and access to railways to bring into the markets of the world untold treasures.

LEGISLATION.—The practice of polygamy has been abandoned by the church and the people. Polygamous marriages are forbidden by the authorities of the church. The People's (or Church) Party has been dissolved and the conditions existing in the Territory are now in nowise different from those in vogue in the States of the Union.

The Territory has a population of about 240,000, and an assessed taxable valuation of $109,000,000. From a careful study of the conditions in this territory I can see no reason why the privilege of statehood should be longer withheld, and I cordially support the application of Utah for admission to the Union.

UTAH COMMISSION.—The Utah Commission reports that the important changes respecting the registration of voters and the time and manner of holding elections approved by the Territorial assembly March 10, 1892, are working a material saving in time and money to the electors and taxpayers.

The Industrial Christian Home Association having ceased to use the grounds and buildings provided by certain acts of Congress, approved August 4, 1886, voluntarily delivered possession of the premises on July 1, 1893, to the Utah Commission as a board of control, and the Commission on August 1st transferred its official quarters thereto. The building is a large and handsome one, and the report states that it has room enough to accommodate all the Government offices in Salt Lake City, except the post-office and the courts, and if thus used would be the means of saving several thousand dollars annually in the way of rents. By the removal of some partitions abundant room could be provided for the two houses of the Territorial assembly, as well as for the public offices. It is recommended that a small appropriation be made to keep the building in repair.

The Commission states that it found itself very much embarrassed

when the time to begin the revision of the registration lists for the November, 1893, election came on, in consequence of the legal proposition presented by the proclamation of President Harrison of the 17th of February, 1893, granting amnesty and pardon to that class of the Mormon people who were, by the eighth section of the act of Congress of March 3, 1887, denied the right of registering and voting. After considerable reflection the following resolution was presented and unanimously adopted:

Whereas, a difference of opinion appears to exist as to the efficacy of the amnesty granted by ex-President Harrison to relieve sexual offenders in Utah from prior disabilities to vote; and

Whereas, in the interest of the elective government that doubt ought to be solved in favor of the man: Therefore,

Resolved, That any person in the Territory otherwise qualified to vote, and who has abstained from committing any such sexual offense since November 1, 1890, ought, in the opinion of the Commission, for the reason aforesaid, to be permitted to register.

It is stated that some of the most eminent lawyers and jurists of the Territory are of the opinion that a strict construction given to the acts of Congress and the opinions of the Supreme Court of the United States, upon the above question, would operate to the continued disfranchisement of this class as electors, and it is recommended that Congress pass upon this important subject, because as a legal proposition it is yet unsettled.

A succinct history is given of the origin of the Commission, its organization, the opposition originally manifested toward it by the people of Utah, and the changed conditions since, under which the obstacles thrown in the way of the proper discharge of its duties are passing away.

It is stated that early in 1891 the Mormon or People's party formally and absolutely dissolved its organization. Soon after, the Gentile faction informally and partially followed this example. It furnished the material out of which the new parties in the Territory, Democratic and Republican, were formed, and which must, in the early future, absorb the remains of the Gentile faction. The new parties are now competing for the palm of local political ascendency. Each is asking Congress for Territorial home rule, or statehood, but notably neither is asking by either of those measures, during their pendency, the discontinuance of the Utah Commission.

The number of officers appointed by the Commission since the date of its last annual report, for the purpose of properly carrying into effect the election laws, aggregates, including those remaining to be appointed with reference to the approaching November election, 2,667.

CONSTITUTIONAL AMENDMENT.—The Commission, in contemplation of the importance of securing the future against the return of the evils of polygamy, urgently recommends that an amendment to the Federal

Constitution be adopted, inhibiting polygamy and empowering Congress to prescribe the conditions of marriage and divorce and the manner of authenticating each.

OKLAHOMA.

The report of the Governor of Oklahoma gives most encouraging accounts of the rapid growth and prosperity of the Territory. Fine cities with electric lights, waterworks, and all modern conveniences have been built. The total population for 1890 is given as 60,416; that for 1892, 133,100; and for 1893, 151,213. The number of people on the Cherokee Strip for the year 1893 is estimated at 100,000.

The immigration of colored people from the South has very largely stopped, and now the number in the Territory is not great.

The total assessed value of property in Oklahoma is reported as $11,485,162.45 for the year 1892, and $13,951,056.38 for 1893.

The report states that there are at present but two trunk lines of railroad in the Territory, with a short line, the Choctaw Railroad. Several other lines are projected but have not yet been built. The total valuation of railroad interests is given as $349,082.

There are 6 national banks in Oklahoma, each having a capital stock of $50,000, and 24 private banks, with capital stocks ranging from $10,000 to $50,000. Of the 6 national banks, 5 have made reports showing a combined capital stock of $250,000; deposits, $685,547.87; loans and discounts, $322,573.68. Reports made by 7 of the 24 private banks show an average capital stock of $24,000 with average deposits $31,000, and average loans and discounts of $30,000.

The financial statement of Oklahoma Territory, according to the latest report of the Auditor, made April 1, 1893, is as follows: Warrants issued to April 1, 1893, $47,184.89; warrants redeemed to November 30, 1893, $19,863.59; amount due on assessed valuation ($11,485,142.45) for 1892, $34,455.54; amount due from insurance licenses, $1,500; total due Territory for 1892, $35,955.54; deduct total standing indebtedness April 1, 1893, $27,321.30; balance in favor of Territory, $8,634.24.

PUBLIC SCHOOLS.—The public-school system is in a flourishing condition. There are very few school districts without comfortable school houses, and in most instances no bonded indebtedness burdens them. Very nearly $100,000 in cash and notes have been received from leasing the school lands. The suggestion is offered that should Congress make an appropriation for the benefit of the schools to be established in the Cherokee Strip, it would be money well spent.

COLLEGES.—The Territorial University, located at Norman, is supported by a one-half-mill tax, which will amount to about $8,000 per year. It has made an excellent start, a new building having just been completed for the institution.

The normal school at Edmond has also just completed a fine building. The Agricultural and Mechanical College at Stillwater is the

best endowed of any of the schools of the Territory, and bids fair to do most excellent work.

Each of the above institutions has in attendance about one hundred students, with new ones constantly coming, and it is the aim to have these colleges correspond with the high school, making a complete system of education from the lowest to the highest grades.

AGRICULTURE.—The Territory is admirably adapted to growing almost every kind of plant, the soil and climate being unsurpassed. Wheat this year made a very fine yield, averaging about 20 bushels to the acre all over the Territory. Some pieces are reported as yielding 62 bushels to the acre. The soil yields good crops of corn and oats, averaging about 40 bushels to the acre. The entire Territory is reported to be well adapted for fruit-raising. Stock-raising will be one of the principal occupations in the future.

MINING.—Exhaustless deposits of salt and gypsum are reported; and coal has been found at various places, and some iron ore; but no mines have as yet been opened. There is a very fine quarry of flagging and building stone in the Cherokee Strip near Arkansas. Many of the buildings in the cities of Oklahoma are built of native stone.

MANUFACTURING.—Manufacturing is in its infancy, but offers great inducements to capital.

SOCIAL AND RELIGIOUS.—Society, which at first was disorganized, is now in a much better condition. Ruffianism is fast on the wane and will soon be a thing of the past. The churches are expending in home-mission work not less than $60,000 per annum.

INDIANS.—The allotment of lands in severalty is earnestly recommended as the best solution of the problem of civilizing the Indians.

THE CHEROKEE OUTLET.—The report of the Governor states that 115,000 booth certificates were issued to intending settlers on the lands in the outlet. It shows that the booth system has done a vast amount of good in keeping out illegal claimants and will long continue to do so; the difficulty experienced in registering at the booths having been far overbalanced by the check it placed upon fraud. In spite, however, of all that faithful officials could do, there were a number of "sooners" who took possession of some of the best lands and lots, and it is urged that no effort be spared to bring them to justice.

The eastern part of the Cherokee Outlet is exceedingly fertile and will soon make a very wealthy community. Several fine towns have been built and large and permanent buildings are in process of erection.

PUBLIC BUILDINGS.—As yet no public buildings have been erected by the Territory for the public officers, and it is recommended that such be constructed at an early date. Very few of the counties have county buildings at present, and the Federal Government has no public buildings of any consequence.

The soil of Oklahoma is rich, the resources great, and the development marvelous. It is to be hoped that at an early day this Territory may assume the responsibilities of statehood.

ALASKA.

The governor of Alaska reports increased activity in the gold-mining industry during the past year, many new claims having been located, and new mines opened with gratifying results.

The efficient measures inaugurated by the Government to prevent the wasteful destruction of fish in Alaskan waters are bearing good results. The continued rains during the present season have so swollen the streams that the usual catch could not be taken, and the pack will not be quite up to the yearly output.

But 7,500 seal skins were taken by the North American Commercial Company, lessees of the islands of St. Paul and St. George, during the season of 1893.

MILITIA.—The militia organization in Alaska is in a state of disintegration, the migratory habits of the people preventing such an organization from becoming permanent. Militia soldiers could only be used as home guards, or for police duty in the immediate vicinity of their organization. To be of service to the Territory at large, each organized company would be under the necessity of having and maintaining steamboat transportation for their full complement of men, there being no roads or land travel possible in the country. In consequence of the above-mentioned difficulties the civil government of the Territory can only rely upon the United States Navy; its coöperation, however, is assured, as the man-of-war *Pinta* is at the command of the governor.

LIQUOR TRAFFIC.—The present construction of the law prohibiting the importation, manufacture, or sale of intoxicating liquors in Alaska has given rise to a large traffic in smuggled liquors, mostly from British Columbia, which the custom-house offices can not prevent and have not the means to suppress. It is recommended that either the law should be changed or the revenue officers provided with the means to enforce its provisions.

INDIAN POLICE.—The employment of Indian police by the Government has a tendency to establish confidential relations between the two races. The native policeman takes great pride in the performance of his duty and has proven himself to be honest, prompt, and efficient in preventing the sale of liquor and preserving peace and good order amongst his people.

His influence has also been exerted for good in the way of having the Indian children attend the Government schools.

EDUCATION.—During the past year there were 14 Government and an equal number of contract schools in successful operation in the Territory. Eleven different denominations have established mission schools in Alaska. The Indian training school at Sitka has been in successful operation for a number of years, and has civilized, educated, and qualified for all the avocations of life and good citizenship many native young men and women. A new schoolhouse is urgently needed at

Juneau City for the accommodation of white children. Three other new schoolhouses should be erected next summer. It is urgently recommended by the governor that the appropriation for the education of children in Alaska for the fiscal year 1894–'95 be $60,900.

INTRODUCTION OF DOMESTIC REINDEER.—The laudable work of importing domesticated reindeer into western Alaska, from the tame herds of Siberia, in order to arrest the present starvation of the natives of that region and form the basis of a permanent food supply, is progressing. The money to pay the expense of the first and second purchases of reindeer in Siberia was donated by philanthropic individuals. On March 3, 1893, Congress made an appropriation of $6,000 for that purpose, which was put to immediate use.

PUBLIC BUILDINGS.—The several public buildings in the Territory, located at Sitka and Wrangel, have been repaired and put in good order at a nominal cost. One of the log houses at the latter place should be selected and arranged to accommodate the post-office business, as Wrangel is a distributing office for many points in Alaska and British Columbia.

RECOMMENDATIONS.—The governor recommends that Congress, either by joint resolution or by bill, empower the governor of the Territory to appoint a commission of five members, who shall be residents of Alaska, and whose duty it shall be to formulate amendments to the organic act of May 17, 1884, and also to prepare a code of laws, both civil and criminal, for the government of the Territory; which amendments and code of laws shall be submitted to Congress for its approval.

The United States district judge for the district of Alaska and the United States attorney for the district of Alaska should be members of said Commission, to serve without compensation. Clerk hire, however, as well as printing and traveling expenses, should be paid out of the Treasury of the United States, to an amount not to exceed $1,000.

INSPECTORS OF COAL MINES IN THE TERRITORIES.

By the act of Congress approved March 3, 1891 (26 Stats., 1104), the President was authorized to appoint, at an annual compensation of $2,000 each, a mine inspector in each organized and unorganized Territory of the United States wherein were located coal mines, the aggregate annual output of which should be in excess of one thousand tons per annum; no appropriation, however, for payment of such salaries was made.

In the act of Congress approved July 16, 1892 (27 Stats., 183), appropriation was made for salaries, etc., of three of such officers, and thereafter appointments were made of inspectors for the Territories of Utah, New Mexico and Indian Territory. Their reports, abstracts of which follow, show gratifying results of the operation of the law:

UTAH.—The report states that there are 24 coal mines in the Territory distributed as follows: Summit County, 10 mines; Emery, 7; San Pete, 3; Iron, 3, and Morgan, 1. Only ten of these mines have an output of 1,000 tons per annum. They are listed, according to their importance, in the following order: Castle Gate, operated by Pleasant Valley Coal Company; Winter Quarters, by same company; Pleasant Valley, by Union Pacific Coal Company; Wasatch, by Home Coal Company; Wilson, by Wilson Brothers; Adam, by Chalk Creek Coal Company; Church, by James Robinson & Co.; Thomas, by Gomer Thomas; Thomas & Daniels, by Hy Thomas & Co.; and Deseret, by Deseret Coal and Coke Company.

A number of changes to the act of Congress approved March 3, 1891, for the protection of the miners in the Territories, are recommended in the way of better sanitary arrangements, inspection, etc., attention being called particularly to the subject of shot-firing in fiery or dry and dusty mines.

The report notes the growing importance of the asphaltum industry in Utah, the total production from 1887 to 1892, inclusive, being $7{,}303\frac{462}{2000}$ short tons.

NEW MEXICO.—The mining inspector reports that the sanitary condition of the coal mines of the Territory is much better at the present time than it was one year ago. The total number of tons of coal produced at the different mining districts of New Mexico for 1892 is 580,559. The mine owners thus far have failed to make any returns to the inspector of the coal production for the year 1893, but he thinks it will exceed that of 1892 by several thousand tons.

The total number of persons employed in and around the mines June 30, 1893, is estimated at 1,034; the total amount of capital invested in the coal mines is $3,571,663.38; total number of fatal accidents, 3; nonfatal accidents, 24; and number of mines in operation, 17; idle, 5; worked out, 2.

Attention is called to certain defects in the existing law for the protection of the lives of miners in the Territory, and various changes therein suggested.

INDIAN TERRITORY.—The mining inspector states that all things considered, the mines in the Territory are in good shape and being kept so, as is evidenced by the few accidents occuring, considering the large number of men employed and the large output of coal. The law is operating satisfactorily, but it is recommended that it be so amended as to require that shot firers be placed in every mine in the Territory that employs 200 or more miners.

THE NATIONAL PARKS AND FOREST RESERVATIONS.

By the acts of Congress approved September 25, 1890, and October 1, 1890, respectively (26 Stats., 478 and 650), certain tracts of land in California were set aside, by the former as public parks and by the latter as forest reservations.

The tracts so set aside were placed under the supervision of the Secretary of the Interior, with authority to prescribe regulations for the government thereof and grant leases of land therein, but no appropriation was made to enable the Department to protect said parks.

The land set aside by act of September 25, 1890, was designated by the Department as "Sequoia Park" and that by the act of October 1, 1890, as "Yosemite National Park" and "General Grant National Park," and regulations were promulgated governing the same.

In October of 1890 the Department brought to the attention of the Secretary of War the fact that the great region covered by said acts had been segregated from the public lands, and solicited the detail of officers and troops for the purpose of protecting it. This request was complied with, and the detail of troops for the protection of such parks has been renewed each year to the present time.

Pursuant to authority conferred by section 24 of the act of Congress approved March 3, 1891 (26 Stats., 1103), entitled "An act to repeal timber-culture laws and for other purposes," the President has, from time to time, by executive proclamation (27 Stats., 947 to 1071), reserved from entry or settlement and set apart as forest reservations certain tracts of land lying in Arizona, California, Colorado, New Mexico, Oregon, and Washington.

The reservations so created, of which there are about thirteen requiring attention, embrace an estimated area of 11,814,400 acres, and are as follows, to wit:

"San Bernardino," "Sierra," "Trabuco Canyon," and "San Gabriel" in California, "South Platte," "Pike's Peak," "White River Plateau," "Plum Creek," and "Battlement Mesa" in Colorado, "Grand Canyon" in Arizona, "Pecos River" in New Mexico, "Bull Run" in Oregon, and "Pacific" in Washington. They are placed under this Department, but no provision has been made by Congress for their protection.

Numerous complaints have been received by the Department of stock men driving their sheep on these reserves, destroying the herbage and setting fire to the trees; and on the 23d of June, the Acting Commissioner of the General Land Office also called the attention of the Department to the necessity for protecting these reserves, urging that details from the Army be secured to look after the same, until Congress could make suitable provision.

Accordingly, the attention of the Secretary of War was directed to the facts in the case, and the request made that, if practicable, officers

of the Army, with a suitable number of troops, be detailed to protect the several reservations.

The Acting Secretary of War declined, however, to make the details desired, basing his refusal upon an opinion of the Acting Judge-Advocate-General of the Army to the effect that the employment of troops in such cases and under the circumstances described by the Secretary of the Interior, not being expressly authorized by the Constitution or by act of Congress, would be unlawful.

These reservations remain, therefore, by reason of such action, in the same condition, as far as protection is concerned, as unreserved public lands and are only afforded such protection from trespass and fire as can be furnished with the limited means at the command of the General Land Office. A bill, however, is now pending in Congress which provides adequate means for the protection and management, by details from the Army, etc., of these forest reservations; it has the hearty approval of the Department, and its early enactment as a law is desirable.

In the opinion of the Acting Judge-Advocate-General the legality of the action of the War Department in the matter of the existing detail of officers of the Army for the protection of the national park created by the act of September 25, 1890, and the forest reservation by the act of October 1, 1890, is questioned; the details being characterized therein as "clearly an oversight on the part of the War Department at the time." Also that "there is no express authorization by the Constitution or by act of Congress for the troops to be used for the purpose of executing the laws relating to these reservations, and it is therefore unlawful to do so."

Such being the case it is quite probable that further details for the protection of said parks will, unless specifically authorized by Congress, be denied by the War Department; and to provide against such contingency it is recommended that some such provision as the following may be enacted by Congress, to-wit:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War, upon the request of the Secretary of the Interior, be, and he is hereby, authorized and directed to make the necessary details of troops to protect the national parks and forest reservations established by the acts of Congress approved September twenty-fifth, eighteen hundred and ninety, and October first, eighteen hundred and ninety, respectively, as well as the public lands heretofore or that may be hereafter set apart and reserved as public forest reservations by the President of the United States under the provisions of the act of March third, eighteen hundred and ninety three, from trespassers or intruders entering the same for the purpose of killing the game, or removing objects of curiosity therein or for any other purpose prohibited by law or regulation, and to remove such persons from such parks and reservations, if found therein.

YELLOWSTONE NATIONAL PARK.—This is a tract of land near the head waters of the Yellowstone River, in the States of Montana and Wyoming; it is 62 miles in length from north to south, 54 miles in width from east to west, and contains about 3,348 square miles; the average altitude is about 8,000 feet.

It appears from the acting superintendent's report that there was a substantial increase of travel through the park during the last season, and that despite the late spring, consequent upon heavy snows, the travel for June of the present year was far better than ever before in that month. The World's Fair doubtless had much to do with such increase, as hotel registers show a large majority of foreigners from every quarter of the globe.

LEASES IN THE PARK.—The question of leases and franchises in the park has been brought prominently to the attention of the Department within the past year. The Yellowstone Park Association has reduced its plant somewhat, but has given general satisfaction to tourists. It has hotels at four points, viz: Mammoth Hot Springs, Fountain, Lake, and Canyon, and lunch stations at Norris, Upper Basin, and the Thumb.

The association also has under its management the Cottage Hotel at Mammoth Hot Springs, for which a lease was originally granted Helen and Walter Henderson. The place is well managed and serves a most useful purpose.

There is need of a good hotel at Norris, as well as at Upper Basin, and they should be constructed without delay. The hotel site at the latter place is the best in the whole basin, but unfortunately is within the legal limit of the Old Faithful Geyser. When the existing law was passed, probibiting the erection of any hotel within one-fourth of a mile of any geyser or other object of interest, it was the fear of Congress that people or corporations would obtain proprietary rights within the park and charge visitors for the privilege of viewing its wonders. The progress of time has removed all that fear, and the law might well be repealed.

Under the present law the association may only hold 10 acres of land under lease. This much it already has, so it could not, if it would, extend its accommodations.

The law prohibiting the granting of leases for more than 10 acres of ground to a single corporation should also be repealed. If these changes are effected there is a hope for increase in both hotel and transportation accommodations that would add greatly to the pleasure and comfort of tourists.

After an existence of more than twenty-one years the boundaries of the park still remain undetermined by marks. The locating and marking off of its boundaries is of much importance, and the work should be entered upon at the earliest practicable moment and pushed vigorously to completion. The cutting off of any portion of the park ought not be countenanced, as the slightest encroachment upon its limits but opens the door to further dismemberment.

A most disastrous fire occurred near Norris in July, burning over an area 7 miles long and in places more than 2 miles wide; its origin is not definitely known, but it is believed to have been caused either by the

carelessness of the men building roads or of tourists. Other fires have been started, but did no damage; the penalty of expelling campers who have failed to extinguish their fires will hereafter be strictly enforced. Slight additions have been made to the force at some of the outposts, but at least two scouts are needed to cope with the poachers, and a special agent from the Department would be of much service.

The suggestion in last year's report is reiterated, that a company of infantry should be added to the garrison, and that barracks, mess room, and stables should be erected. A hospital in the course of construction is the only change in military quarters within the past year.

A new road immediately north of Norris is nearing completion, and a new road for a short distance down the Gibbon River has been laid out and begun. The road between the Upper Basin and the Thumb has been slightly repaired, but nothing has been done to the causeway along the lake. The new road has been cleared of timber from the Thumb towards Lewis Lake, and will soon be in a condition to drive over; also a short road passing by the brink of the Upper Falls. A driveway has been opened near the Grand Canyon at Inspiration Point.

The hotel service has been very satisfactory.

Numerous applications for permits to carry on transportation business, are constantly made, but few of the applicants are reliable, and the transportation company whose service has been good should be protected in its right to most of the park travel. It can not be regarded as a monopoly, as the rates are fixed by the Department. The vexed question of stop-over privileges has been satisfactorily arranged by stages starting out with a certain percentage of vacant seats ready to pick up travelers who have remained behind on a previous tour. The steamer on Yellowstone Lake continues to give satisfaction; the boat company, to whom such privilege was granted, keeps also small boats and fishing tackle enough to accommodate those who wish to engage in this sport. Authority may hereafter be granted for one or more naphtha launches on the lake.

The vandalism of tourists has greatly decreased, while the regulation forbidding carrying of firearms without permission has been productive of much good.

An incredible quantity of fish has been taken from the lakes and rivers but their numbers are apparently undiminished. The U. S. Fish Commissioner has promised to make plants of the eastern brook trout in Moose and Shoshone creeks.

Of the $500 allotted from the revenue of the park and expended for policing camping parties, but $150 remains. The only money allowed for the complete management of the park is derived from leases and aggregates less than $1,000 per year, an absurdly small sum for the protection of an area larger than the State of Connecticut. This could be remedied effectually by Congress appropriating annually a sum sufficient to properly care for and protect the park.

In the immense area of the park, surrounded as it is by a rough and densely timbered country, it is, with the present force, impossible to give to the large game, such as buffalo, moose, elk, bears, antelope, deer, etc., the protection they should have, and two additional scouts are badly needed.

Poachers continue to give a great deal of trouble and nothing less than a stringent law with severe penalties, can break up the evil. Confiscation of the outfit and ejection from the park, the only penalty under existing regulations, has but little effect, as the outfit is generally worthless.

Notwithstanding these depredations, the number of buffalo, moose, sheep and elk is about the same as last year. Bears are not so numerous. Antelope, deer, beaver, and other small animals are increasing and are very tame. A number of animals were sent to the National Zoölogical Park in Washington last November, and awaiting shipment now are 4 elks, 1 deer, 3 beavers, 1 badger, and 1 porcupine, beside a cage of smaller animals. It would be of great interest to tourists if funds were available for the erection of an inclosure within the park in which to put some specimens of the game animals native to the park and vicinity.

It is recommended that an act be passed defining the boundaries of the park and providing for a complete survey and the proper marking of the boundary lines thereof; that a law be enacted providing a suitable system of government of the park; that the disposal of the funds for the construction of roads and bridges be transferred from the Engineer Corps of the Army to the custody of the acting superintendent of the park; that appropriations with which to complete the road system as approved be made; that appropriations also be made for the cleaning out of dead timber, collecting and keeping wild animals, and in general for preserving, protecting, and beautifying the park; also, that accommodations be provided for a company of United States infantry, to be detailed for that purpose by the Secretary of War and made a part of the permanent garrison in the park.

The Department concurs in the recommendation of the acting superintendent that an appropriation of $5,000 be made for the purchase of a toll bridge, known as Baronette's bridge, constructed across the Yellowstone River on the wagon road between Mammoth Hot Springs and Cooke City; also, that an appropriation of $3,000 be made to reimburse one J. C. McCartney for certain buildings and improvements erected and made by him on public land aferward embraced in the Yellowstone National Park, said buildings having been taken and used by the United States.

YOSEMITE NATIONAL PARK.—This place is situated in Tuolumne, Mariposa, and Mono counties, California, comprises 42 townships, and covers an area of about 1,512 square miles, being 36 by 42 miles.

Capt. Wood, Fourth Cavalry, acting superintendent, states that

trespassing has been less frequent within the past year, but there have been a few cases of such flagrant violation of the regulations that examples of some severity were made of the offenders, both sheep herders and cattlemen, by ejecting them from the park in such a manner as to effectively prevent repetition of the offence. Incalculable damage is done by the trespassing herds to the young growth which should be fostered to replace the matured forest trees.

Some idea of the necessity for preventing this damage can be gathered when the fact is considered that it takes seven hundred years for the sugar pine to mature, and two hundred and forty years for the fir to attain its extreme age. If herds of sheep are permitted to enter and graze in the park, the military guard might as well be withdrawn and the act of Congress creating it repealed.

Two fires occurred in the park last year; the first evidently spread from the fire left by some careless camping party and did but little damage; the second, however, originated outside of the park in a manner which could not be determined by investigation, and was very serious, burning over an area within the park about 1 mile wide by 3 miles long. It was finally extinguished by driving it against the South Fork of the Tuolumne River.

The fall of snow was unusually heavy last winter. The season has been cool and vegetation about three weeks later than usual.

Mining interests within the park have been very quiet. The owners of some claims in township 3 south, ranges 25 and 26 east, to whom authority was granted by the Department to build a road into their property upon Shadow Creek, have thus far taken no steps towards that end.

An approximate estimate only can be formed of the number of mining claims in this park, that number being probably three hundred or more. In this connection the fact should also be considered that, in addition thereto, there are more than 65,000 acres in homestead, preëmption, and timber claims within the boundaries of the park owned by private individuals.

Former recommendations as to changing the boundaries of the park, whereby the mines within the park would be excluded, are reiterated and renewed, as it is not advisable to have features involving such extensive private interests, in a national park created for the preservation of natural curiosities alone.

There are four toll roads, built under the laws of California and owned by individuals and corporations, leading into Yosemite National Park, three of which find their termini in the Yosemite Valley grant, as follows: First, the Big Oak Flat road, 33 miles long, 20 miles of which are in the park. Its estimated cost is $46,650, and toll charged about 3¾ cents per person per mile. Second, the Coulterville road, 37 miles long, 23 of which are in the park. Its estimated cost is $85,000, and toll charged 3 cents per person per mile. Third, the Wawona road, 65

miles in length, 25 of which are in the park. Its estimated cost is $75,000, and toll charged 2 cents per person per mile. And, fourth, the Tioga road, 56 miles in length, 48 of which are in the park. Its estimated cost is $62,000, and the toll 3½ cents per person per mile.

If it is the policy of the Government to purchase these roads and make travel over them free, as California has done of similar roads in the Yosemite Valley grant, an annual appropriation of at least $12,000 to keep them in repair will be necessary.

It is suggested by the acting superintendent of the park, that if the land is maintained as a national park, a guard of some kind will always be necessary; and until the inhabitants of the mountains and foothills become habituated to the existing regulations, it will be necessary for the cavalry branch of the Army to furnish the guard, the nature of the duties rendering it impossible for footmen to perform them satisfactorily. Under the present conditions, a permanent garrison upon the park is not advisable, but an encampment every year for five or six months at a point on the main traveled road to the valley will accomplish the object of protecting the park.

SEQUOIA AND GENERAL GRANT NATIONAL PARKS.—The Sequoia Park is a tract of land in Tulare County, Cal., shaped like a letter Z, and contains about 252 square miles; the General Grant Park is in Mariposa County, Cal., and contains about 4 square miles.

Capt. James Parker, Fourth Cavalry, acting superintendent Sequoia and General Grant parks, reports that there has been no difficulty this year in keeping the parks free from sheep and cattle, or in preventing forest fires. The game in the parks has increased.

Attention is called to the peculiar shape of the park, taking in as it does sections of territory entirely separate, distinct, and inaccessible one from the other, and which increases enormously the difficulties of patrolling and guarding the park. Owing to the peculiar conformation of the park no place exists within its confines where it is practicable to obtain a fair camp for troops, accessible by wagons, and the unusual spectacle is therefore afforded of troops detailed to guard the park being obliged to establish their main camp on land outside of its limits, sometimes owned by private parties, and occupied by the troops at the will and pleasure of the former. The main or supply camp must be established on a wagon road, since by wagons alone the quantities of forage and rations necessary for the troops can be delivered, and this main camp must be established either at or near Three Rivers or near Mineral King, either on the east or west side of the park.

A detachment of troops is necessary to guard the Grant Park, another to guard the northern district, and one to protect the southern district. These outposts, at from two to four days' march from the main camp, are reached by difficult trails and supplied by the pack train.

The troop of 50 men detailed to protect the park is divided into one large detachment and three or four small ones.

The acting superintendent, in his report, calls special attention to the Giant Forests, which occupy an area of about 3 miles square, and contains a dense growth of trees, mainly redwood, giant sequoia, and sugar pine, the trunks of the former being from 15 to 25 feet in diameter. Nearly all these trees tower 300 feet or more above the ground, dwarfing by their majesty even the hills they stand upon. This, perhaps the most magnificent body of timber in the world and the main attraction of the park, is practically inaccessible to visitors, the Government having allowed the road which leads toward it, and which is said to have cost the Kaweah Colony $30,000 to construct, to fall into ruin. He recommends that an appropriation of $5,000 be made to repair that road, of $30,000 for extending it to the Giant Forests, and of $4,000 for the construction of necessary bridges—a total of $39,000 being thus required.

The report further states that while the natural wonders of the Yosemite Valley State Park, which is under the control of the State of California, have been made accessible and large sums are annually voted for road-building in the Yellowstone Park, not a cent has ever been spent on Sequoia Park. He recommends the expenditure of $3,200 in the construction of trails, and $1,600 for inclosing General Grant Park, a small reservation 2 miles square, with a wire fence, to stop the continual depredations of cattle; and a future annual expenditure of $3,000 for making general repairs to roads and trails. It is urged that Sequoia Park be enlarged by Presidential order, as was done in 1891 in the case of the Yellowstone Park, by including within it the portion of the forest reserve on the east, and that Sequoia and General Grant Parks be thereafter consolidated under the name of "Sequoia Park."

HOT SPRINGS RESERVATION.—The report of the Superintendent of Hot Springs shows a gratifying condition of the affairs of that reservation. The Government's interest in the Hot Springs, over which the Department has control, includes the four mountain reservations (Hot Springs Mountain, North Mountain, Sugar Loaf Mountain, and West Mountain), comprising 900.63 acres. These, by the act of June 16, 1880, were forever reserved from sale and dedicated to use as public parks, as were also the unsold Government lots, 156 in number, situated in different parts of the city.

The hot springs, which are 71 in number, and vary in temperature from 77° to 157°, all issue from the west side and base of the Hot Springs Mountain.

FREE BATH HOUSE.—The superintendent reports to the Department that the free baths are well patronized, the average number given daily being about 600. The bathing pools are constructed of solid masonry and concreted, and are in fairly good repair; but the concrete floors in the sweating rooms are in bad condition, and need to be replaced with new floors of better workmanship. The heating apparatus has

never been completed, no radiators ever having been furnished for the second story; neither has the building ever been fitted for gas or electricity.

Much inconvenience is caused by the want of a proper system of hot water and cooling tanks for this house, the present supply being entirely of hot water from one of the hottest springs with no means of tempering it for immediate use. Improvements are recommended for rectifying the trouble.

The efficacy of these baths in curing diseases has been much hampered and hindered by the order permitting their promiscuous use. The capacity of the house is not sufficient to bathe above 300 persons daily, allowing each one sufficient time in the baths and sweating rooms to receive the benefits which the use of this water is supposed to give. Overcrowding by persons who use these baths only as a matter of economy is both unjust and uncharitable to the actually indigent population, for whose protection this house was constructed and is maintained, and they are always present and soliciting this charity from the Government in sufficient numbers to tax the capacity of the house.

ARLINGTON HOTEL.—This excellent structure, erected by a private corporation, under lease authorized by act of Congress, was completed, and opened to the public on March 25, 1893, and contains 300 guest chambers, handsomely furnished. The hotel is provided with all the modern improvements, and the cost of the building and furnishings is given at $400,000.

BATH HOUSES ON THE RESERVATION.—The Arlington bathing establishment was built in connection and opened contemporaneously with the Arlington Hotel. It has 40 tubs and cost approximately $53,000.

Other bath houses are the Imperial, constructed of stone, containing 25 bathing rooms, including an electric bath and room for both ladies and gentlemen, and 12 vapor rooms, etc. (cost $34,000); Lamar bath house, frame building, in good repair, 40 tubs; Ramelsburg bath house, brick building, old, in need of repairs, 18 tubs; Ozark bath house, frame building, in fairly good repair, 22 tubs; Magnesia bath house, frame building, in need of repairs, 30 tubs; Horseshoe bath house, frame building, in need of repairs, 30 tubs; Palace bath house, frame building, refitted and refurnished, 23 tubs; Maurice bath house, frame building, rebuilt and refurnished, 21 tubs; Old Hale bath house, stone, brick, iron, and wood, handsomely fitted up (cost of building $25,000), 26 tubs; Superior bath house, brick building in good repair, 16 tubs.

BATH HOUSES OFF THE RESERVATION.—The bath houses located off the reservation in the city of Hot Springs, and supplied with hot water from the springs on the reservation, are as follows: Eastman bath house, constructed of brick, in good repair, 40 tubs; Park bath house, brick, in good repair, 40 tubs; Alhambra bath house, brick

(cost $50,000), in good repair, 40 tubs; New Hot Springs bath house, stone and brick, situated on Fountain street, not yet quite completed (estimated cost, $35,000), 16 tubs; Rockafellow bath house, frame building, in fairly good repair, 20 tubs; Avenue bath house, situated in Avenue Hotel building, recently refitted, 20 tubs; St. Joseph's Infirmary, used in connection with the infirmary, 4 tubs.

The following list shows the bath houses and bath-house sites on and off the reservation, for which leases have been granted since the passage of the act of March 3, 1891:

Name of bath house.	Date of commencement of lease.	Term.	Lessees.
On the reservation.			
Superior	Sept. 15, 1891	Five years	Robert Proctor, L. D. Cain.
Arlington Hotel	Mar. 3, 1892	Twenty years	S. H. Stitt & Co. (Samuel H. Stitt, Samuel W. Fordyce, Albert B. Gaines).
New Rector	do	do	H. M. Rector, Mary E. Fellows.
Maurice	Jan. 1, 1892	Five years	Charles E. Maurice, Charles G. Converse.
Rammelsberg	do	Seven years	George H. Buckstaff.
Lamar	do	Five years	Morris C. Tombler.
Horseshoe	do	Three years	Albert B. Gaines.
Magnesia	do	do	Charles B. Platt.
Ozark	do	Five years	George G. Latta, Louis H. Carhart.
Imperial	do	Fifteen years	James L. Barnes, Charles N. Rix.
Palace	do	do	Samuel W. Fordyce.
Old Hale	Jan. 1, 1893	do	Logan H. Roots, George H. Eastman.
Site B (for colored people).	do	do	Ferdinand Havis.
Site 15	do	do	James Mix.
Site 16	do	do	William P. Walsh.
Smithmeyer (site)	Mar. 2, 1893	do	Henry M. Cooper.
Off the reservation.			
St. Joseph's Infirmary	Jan. 1, 1892	Five years	Sister Mary Aloysius.
Avenue	do	Six years	Avenue Hotel Company.
Eastman	May 12, 1892	Twenty years	New York Hotel Company.
Park	do	do	Park Hotel Company.
Rockafellow	July 1, 1892	Three years	Charles N. Rockafellow.
New Hot Springs	Jan. 1, 1893	Ten years	Mark J. and C. H. V. Smith.
Waverly	Mar. 24, 1893	Twenty years	Waverly Hotel Company.

The Government's annual income from water and ground rents is estimated at $16,780, and the regular expenditures, not including fuel and lights, are $6,400, making the total net income from the hot springs $10,380, held and expended by the Department in carrying on improvements on the Hot Springs Reservation.

Four other leases, three on the reservation, sites 15, 16, and B, and one off the reservation, the "Waverly," have been granted by the Department, on which no bath houses have yet been erected, and no water supplied or water rent collected: when these become operative (if they should) the Government's net income from the hot springs would be about $12,500 annually.

IMPOUNDING RESERVOIR AND PUMPING STATION.—The building and machinery of the pumping station are receiving the necessary attention for their proper protection and preservation, and are at present in good condition: the plant has not been in operation, however, since its completion, June 8, 1891, owing to the fact that the bath houses on the reservation are supplied with water by gravity.

The impounding reservoir or pumping station is serving a valuable and useful purpose in collecting and preserving a large body of hot water which can not be collected or made available at a higher level, and which will have to be drawn on to furnish water to houses to be erected under existing leases, which are not yet supplied with water, and also to supply water under such leases as may hereafter be granted.

The Hot Springs Creek Arch, a covered waterway through which the creek runs, was the first improvement made at Hot Springs by the Government. It is in the center of the valley, the chief street of the town, and being a part of the highway itself, continues to serve the useful purpose for which it was constructed.

IMPROVEMENT OF HOT SPRINGS RESERVATION.—The report of Lieut. Robert R. Stevens, U. S. Army, in charge, shows that the public work on the Government reservation at Hot Springs, Ark., was inaugurated under instructions of the Secretary of the Interior of May 31, 1892, and had for its object the improvement of these grounds with a view to their application to use as public parks in connection with Hot Springs as a health resort, in accordance with the act setting these lands aside as a permanent reservation.

The funds allotted therefor consisted of a specific appropriation of $5,000 for parks and roads (act of March 3, 1891), and of the sum of $75,000 set aside from the indefinite fund for protection and improvement of Hot Springs Reservation (act of March 3, 1877), derived from receipts from sales of public lots in the city of Hot Springs and bath house and hot-water rents.

The work as originally outlined in advance by the Secretary of the Interior, for performance under these allotments, consisted of the development of a systematized plan for the complete improvement of the reservation tracts on Hot Springs, North and West Mountains, and the execution of this plan as far as it related to the grounds which extend over the west side of Hot Springs Mountain and include the section of the hot-water springs and the bath-house sites and lawns. The Lake Reserve, a valley tract of about 10 acres on Whittington avenue, was included under subsequent action of the Secretary of the Interior, and was assigned for improvement as a water park. Sugar Loaf Mountain, a tract of about 129 acres, was, owing to its remoteness from the springs, not included in the improvement plans and estimates prepared in the current work. The different stages of this work consisted of:

First, the survey of the grounds and the preparation of detail maps. Second, the preparation of the engineering, landscape, and architectural plans. Third, the organization and conduct of the work designated for immediate execution under available means.

PRELIMINARY WORK.—The surveys were limited to the sections originally assigned for improvement by the Secretary of the Interior, and

were conducted with reference to the accurate establishment of permanent lines, as well as the preparation of maps of the necessary detail to provide a basis for any landscape or engineering operations which might be found desirable on the grounds. The survey work was commenced June 16, 1892, on Hot Springs Mountain, and continued to completion of the surveys of the tracts on West and North Mountains. They were finished, in the main, about November 1, 1892, work in the mapping department being continued until March 1, 1893.

The plan for the improvement of each mountain was based upon a system adapted to its location with reference to the bathing centers and its special resources as to public accommodation and benefit in connection with the waters of the springs.

WORK PERFORMED.—This involved, in addition to the surveys, the execution of the base lines of the work on the foreground of Hot Springs Mountain, and, up to the date of this report, included the outlining of the main roads and drives over a distance of about a mile, and the improvement of the park along the bath-house front, with a concrete promenade 14 feet wide, and cross-walks of the same material to the bath houses, with electric-car landings at crossings.

Work on hot-water sources and supply included the arching in of about ten hot-water springs, and the removal of exposed supply pipes and their location in covered trenches.

HOT SPRINGS AS A PUBLIC HEALTH RESORT.—The complete improvement of the public grounds of Hot Springs, Ark., and the development of its bathing interests is presented and recommended both as a means of giving full scope to the sanitary resources of its climate and waters, and of developing the value of the important public interests of the reservation.

Condition of the fund allotted for the work.

Total of current allotment		$80,000.00
EXPENDITURES.		
Park improvements, roads, drainage, base lines of parks and entrances	$42,197.64	
Water supply, springs, pipes, etc	2,778.56	
Total expenditures to June 30, 1893		44,976.20
Balance then remaining available for completion of entrances and roads on the foreground of Hot Springs Mountain		35,023.80
ESTIMATES.		
Improvements required and specially recommended for early provision by the Department by allotment from receipts of hot-water rents, free bath-house cooling tanks, protection of springs, pipe trench, etc		9,719.44

Submission of estimates of proposed improvements for which appropriations by Congress will be necessary, as recommended by Robert R. Stevens, engineer in charge Hot Springs improvements.

Hot Springs Mountain:		
Roads, walks, drainage, fountains, pavilions, electric lights, etc		$35,323.85
West Mountain:		
Roads, walks, pavilions, shelter buildings, drainage, etc		32,656.60
North Mountain:		
Roads, etc		12,700.00
Lake reserve (about 10 acres)		48,780.00
Hot Springs Mountain (264.93 acres):		
Protecting wall along reservation front	$11,557.70	
Fountain street creek arch and Casino building	51,000.00	
		62,557.70
West Mountain (269.4 acres):		
Parks, fountains, pavilions, shelter buildings		98,384.80
North Mountain (224.74 acres):		
Walks, fountains, drainage, pavilions, etc		12,730.25
Hot-water supply:		
Hot-water reservoirs and pipe conduits		24,574.50
Creek arches:		
Arching creek on Whittington and Park avenues		19,995.00
Total improvements for future development		347,693.70

GOVERNMENT HOSPITAL FOR THE INSANE.

Established by act of March 3, 1855 (10 Stats., 682). Managed by board of visitors (nine citizens of the District of Columbia) appointed by the President. Provided for by Congressional appropriation, the expenditure of which is under the supervision of the Secretary of the Interior. The institution has an area of 350 acres of land, known as St. Elizabeth, from title of original grant; also outlying agricultural lands of an extent upwards of 450 acres. The hospital buildings for the care of the insane are nine in number, viz: The main hospital building, the west lodge for colored males, the east lodge for colored females, the Howard hall for criminal and homicidal cases, the home for soldiers from the National Homes for Disabled Volunteer Soldiers, the Atkins hall for workingmen, the relief building for chronic cases, the Toner building, an infirmary for the sick, and the Burrows cottage for private female patients; the normal capacity of these buildings is about 1,400 patients. In addition, there are not less than twenty buildings necessary adjuncts in the proper administration of the institution. The estimated cost of the entire property, of which the title is in the United States, is something over a million dollars.

The report of the Board of Visitors discloses the following facts regarding this institution:

Summary of inmates.

	Males.	Females.	Total.
Remaining June 30, 1892	1,232	365	1,597
Admitted during the year ending June 30, 1893	261	84	345
Whole number under treatment	1,493	449	1,942
DISCHARGED.			
Recovered	57	10	67
Improved	46	23	69
Unimproved	4	1	5
Died	140	41	181
Total discharged and died	247	75	322
Remaining June 30, 1893	1,246	374	1,620

Three hundred and forty-five is the total number of admissions during the year, and is considerably above the average number of the past ten years, although it has been more than once exceeded during that time; but the number, 1,620, remaining June 30, 1893, and the total number, 1,942, under treatment during the year, are without parallel in the hospital annals. Of the 1,620 persons in the hospital at the end of the last fiscal year, upwards of 800 were from the Army and Navy; the principal remaining classes being the insane from the District of Columbia and the criminal insane whose offenses have been against the United States. It is probable that admissions will continue to exceed discharges, and that for some years to come the number of patients in the hospital must be expected to increase slowly.

The per cent of recoveries was hardly more than one-fifth of the whole number of discharges, including deaths. The number of deaths was 181, or 9.32 per cent of the whole number under treatment.

The average age of those remaining under care has been each year advancing by reason of the preponderance of men from the National Home for Disabled Volunteer Soldiers, who, as a rule, when broken down with age and mental infirmity, end their days at the hospital. The per cent of mortality, therefore, exceeds that in hospitals whose inmates are drawn from all classes of the community in which they are situated. This will, in all probability, continue so.

The character of the hospital as an asylum for old and infirm soldiers is recognized, and accommodations for them of a home character are proposed on the land lately purchased for their use and occupation, and which has been designated "Godding Croft."

Two large reservoirs have been built as an added protection against fire, one near the stock barns on the Shepperd farm; the other, a circular brick basin, 90 feet in diameter, with a capacity of over 400,000 gallons of water, is directly in the rear of the main building, contiguous to the steamer house and convenient for use on most of the detached buildings.

Congress at the last session provided for the construction of quarters for the separate care of the epileptic insane. Plans for the pavilions for females have been prepared and contracts made for their erection during the present season. The intention is to provide those for the male epileptics during the coming spring. These, when completed, will afford most satisfactory provision for this unfortunate class, and will add another to the distinct classes of the insane who have been provided for in buildings especially arranged for their treatment, demonstrating the enlightened progress of this hospital in the management of those committed to its care.

The estimates for expenditures of the fiscal year ending June 30, 1895, are:

Current expenses	$363,000
General repairs and improvements	16,000
Additional accommodations, viz, cottages for workingmen	4,480
Special repairs and improvements:	
Rebuilding machine and cabinet shop	7,000
For detached kitchen for Toner building	2,240
For electric plant	10,000
Total	402,720

The estimate for current expenses is for support in the hospital, including treatment and clothing, of an estimated average number of 1,650 indigent insane persons who are by law entitled to treatment there, viz: the insane of the Army and Navy, Marine Corps, Revenue-Cutter Service, National Home for Disabled Volunteer Soldiers, the indigent insane of the District of Columbia, and the United States convict insane. The basis of the estimate is an annual per capita cost of $220. Congress has for many years divided the amount appropriated for this between the sundry civil and the District bills.

Following the ratio of previous years, the increase in the District appropriation being based on the increase in the number of District patients during the past year, the amount in that bill will be $96,480, leaving $266,520 to be provided in the sundry civil bill. Of this it is asked that not exceeding $1,500 may be used in defraying the expenses of the return of patients to their friends.

Receipts and expenditures for fiscal year ended June 30, 1893.

Receipts from all sources	$450,349.54
Expenditures	424,590.00
Balance on hand	25,759.54

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

A body politic and corporate created by act of February 16, 1857 (11 Stats., 161). Managed by a board of directors, on which Congress is represented by one Senator and two Representatives. Supported in part by Congressional appropriations and in part by tuition fees. Expenditure of Congressional appropriation

under supervision of Secretary of the Interior, and admission of all beneficiaries subject to his approval. Area of grounds, 100 acres, located in the District of Columbia, 2 acres of which were at organization of institution donated by Hon. Amos Kendall and balance purchased by Congressional appropriation. Title of entire property vested in the United States as trustee. There are seven administration buildings and six dwellings used by corps of instructors. Estimated cost of all is $500,000.

The report of the president, Dr. Edward M. Gallaudet, sets forth the following statement:

The number of pupils in all classes in attendance since July 1, 1892, was 140; males 93, females 47. Eighty-nine of them were in the collegiate department, representing 23 States, the District of Columbia, and Canada.

Eleven young men and one young woman were graduated from the collegiate department: five young men and one young woman from the normal or post-graduate department.

The directors are urged by the conference of principals and superintendents of schools for the deaf in the United States and Canada, and by the alumni association of the college, to establish a technical department, in which may be afforded the training necessary for the application of the arts and sciences to industrial ends.

The importance of such a school, in which many of the more intelligent deaf-mute youth of the country may have an opportunity to study architecture, practical chemistry, electrical and mechanical engineering, surveying, and such industrial branches as may be found practicable, is strongly urged, and the directors give the assurance that, with the existing buildings and teaching force of the college, but a small additional outlay would be necessary to provide for the technical department.

The directors report that the quarters available for female students and pupils are in a very much crowded condition.

They submit an estimate of $30,000 for the enlargement of the buildings, to provide for this and the new technical department.

The workings of the institution were quite fully shown in an exhibit at the World's Columbian Exposition, and at the congresses upon instruction of the deaf, held at Chicago in July, which were largely attended by officers and graduates of the institution.

The receipts from all sources for the fiscal year were $69,689.92, and the disbursements $69,543.86.

HOWARD UNIVERSITY.

A body politic and corporate, created by the act of March 2, 1867. Managed by a board of trustees, on which Congress is represented by one Senator and two Representatives. Supported in part by funds from benevolent societies and in part from appropriations by Congress. No tuition is charged except in medical and law departments, which are in part self-supporting. Expenditure of Congressional appropriation is under supervision of the Secretary of the Interior. Area of ground is about 20 acres, located in the District of Columbia; title of same inheres in trustees. There are five administration buildings and five dwellings used by corps of instructors. Estimated value of entire property is about $500,000.

The president of the institution reports that the different departments of the university, the industrial, normal, preparatory, collegiate, medical, law, and theological, have been in active and successful operation, with an attendance of 512, and that 97 have completed the course in their respective departments. The students are from the District of Columbia and almost every State and Territory in the Union, while some are from Africa, the West Indies, and Japan.

The appropriation of $29,500 in the sundry civil act of March 3, 1893, a report as to the use of which is required to be made annually to the Secretary of the Interior, was expended as follows: For part of the salaries of the officers, professors, teachers, and other regular employés of the university, the balance being paid from donations and other sources, $23,500; for tools, material, wages of instructors, and other necessary expenses of the industrial department, $3,000; for library, books, bookcases, shelving, and fixtures, $500; for material and apparatus for chemical, physical, natural history, and laboratory work, $500; for repairs to buildings, $1,500; for improvement of grounds, $500.

Attention is called to the fact that the trustees, by reason of gifts from the benevolent and transfers from their investments, have been able to erect a new hall for the law department and an amphitheater for the medical department. A new structure for library and for anniversary assemblies as well as Sunday services is greatly needed, and the president further urges that Congress appropriate the sum of $10,000 for such purpose, and that the appropriation of last year for $29,500 be continued, making in all $39,500.

EDUCATION OF FEEBLE-MINDED CHILDREN.

Under the act of June 16, 1880, the Secretary of the Interior is authorized to cause the indigent feeble-minded children of teachable age belonging to the District of Columbia to be instructed in some State institution at a cost not greater than that paid by such State for similar instruction. In pursuance of this authority, there were at the close of the previous fiscal year (1892) 14 feeble-minded children under instruction at the Pennsylvania Training School for Feeble-Minded Children at Elwyn, Pa. Ten were admitted and 1 discharged during the year, leaving 23 beneficiaries at the institution on the 30th of June, 1893.

The amount charged for instruction in this institution is $250 per year for each person. Provision for the payment for this instruction is made in the annual appropriations for the expenses of the government of the District of Columbia.

By the act of March 3, 1893, making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1894, and other purposes, the authority heretofore given to the Secretary of the Interior to provide for and place in a proper insti-

tution for their instruction the feeble-minded children of the District, is transferred to the Board of Childrens' Guardians, which is under the immediate supervision of the District Commissioners.

MARYLAND INSTITUTION FOR THE BLIND.

Under section 2 of the act of March 29, the Secretary of the Interior is authorized to place for instruction in an institution for the blind, in the State of Maryland or some other State, the indigent blind children of teachable age who are children of persons actually engaged in the military and naval service of the United States, and, under section 4869, of the Revised Statutes, the indigent blind children of teachable age belonging to the District of Columbia.

In pursuance of this authority there were at the close of the last fiscal year (1892) 20 blind children under instruction in the Maryland Institution for the Blind at Baltimore, Md.; 2 were admitted and 2 discharged during the year, leaving 20 beneficiaries at the institution on the 30th of June, 1893.

In addition to the usual course of instruction in institutions of this character the advanced pupils are trained in vocal and instrumental music and the theory of the same. There are also taught piano tuning, chair caning, broom and mattress making, plain and machine sewing, and plain and fancy knitting.

The younger pupils are taught by kindergarten methods, special attention being paid to physical training.

The superintendent reports that these beneficiaries of the Government are of average intelligence, and have made commendable progress.

The cost to the Government for each pupil is $300 per year, that being the cost of the State of Maryland for similar instruction. Payment for the education of the indigent blind of the District of Columbia is provided for in the permanent annual appropriation for that purpose.

FREEDMEN'S HOSPITAL.

Appropriated for and placed under control of Secretary of War by act of March 3, 1871 (16 Stats., 506); transferred to Department of Interior and placed under supervision of Secretary thereof by act of June 23, 1874 (18 Stats., 223). Occupies 3½ acres of leased ground in the District of Columbia on which there are eight buildings, six were constructed by lessor and two at cost of $4,000 under appropriation by Congress therefor. Five buildings used for hospital purposes have capacity for 250 patients, the remainder, three, are administration buildings. The title of the entire property is in the trustees of Howard University, and its estimated value is $304,000.

The report of the surgeon-in-chief, Charles B. Purvis, M. D., discloses the following facts:

The whole number of patients admitted: 400 white males, 111 white females, 1,022 colored males, and 1,093 colored females; total, 2,626, an

increase of 87 over last year. In the dispensary 3,869 persons were prescribed for. Surgical operations, 392. Upon recommendation of the Commissioner of Pensions 118 ex-soldiers were provided for. Three pensioners were admitted upon recommendation of the Secretary of Board of Managers of National Soldiers' Homes. The birth rate has been large, numbering 202. Ninety-one cases of alcoholism and 3 of diphtheria were admitted and treated. The eye and ear clinics were continued under the valuable services of Dr. E. Oliver Belt. Mrs. Ada Spurgeon continues her mission work among the sick, and has been instrumental in doing much good. Religious services have been conducted regularly by the Society of St. Vincent de Paul, a Catholic society. The fathers from the Church of St. Augustine and the Rev. Edward Marshall Mott, of Rock Creek Church, are regular in attendance.

In the bill making appropriation for the expenses of the District of Columbia for the fiscal year ending June 30, 1894, as it passed the House of Representatives, was incorporated a clause placing the future management and control of the hospital under the Commissioners of the District of Columbia, it appearing from such action to be the intention of Congress to relieve the Department of the Interior absolutely of the care of the hospital. The friends of Howard University, with a view to protecting the interests of its medical department, which was accorded certain clinical privileges in connection with the hospital, objected to the management of such institution being placed under the control of the Commissioners of the District, believing that the interests of that branch of the University would not be fostered and protected by the transfer.

As all other hospitals of the city were incorporated and managed by boards of responsible citizens, it was felt that, in event of the transfer being made, this hospital should not be an exception to the rule. To that end articles of incorporation of the Freedmen's Hospital under the laws of the District of Columbia, were prepared, submitted to the Commissioners of the District, approved by them and thereafter duly recorded. It was not found necessary to act, however, under such incorporation, as by the act of Congress approved March 3, 1893, making appropriation for the expenses of the District of Columbia, the suspervision and control of the expenditures only of the hospital were transferred to the Commissioners, leaving the supervision of the appointments to and the general administration of the institution, as heretofore, with the Secretary of the Interior.

PUBLIC DOCUMENTS.

During the last fiscal year 152,638 documents were received from the Government Printing Office by the superintendent of documents, for the use of the Department and for distribution and sale. By far the larger portion of these publications has been distributed to public, college, and school libraries of the country.

Three volumes of the reports of the Eleventh Census were received by the Department prior to July 1, 1893, viz: The Compendium, Part 1, containing population statistics; Report on Mineral Industries in the United States; and Report on Public Debt. These volumes are distributed chiefly upon the orders of Senators and Representatives.

The exchange of Government publications among public libraries has been continued as far as practicable with the force available for the work. The number of documents received from libraries during the year and so made available for supplying deficiencies in other libraries, amounted to 26,973 volumes.

Four volumes of United States Reports were received from the reporter of the Supreme Court and distributed to officers of the Government and to United States judges and courts, as provided by law. It is evident, from the frequent applications for these reports by courts and departmental officers who cannot under the law be supplied, that provision should at once be made for the purchase of a larger number of copies of this publication, that the Department may be enabled to meet these legitimate requests.

Under the provision of law authorizing the Secretary of the Interior to sell Government publications at cost, documents to the value of $3,149.38 were sold during the year.

Requisitions upon the several Executive Departments for statistics for incorporation in the Official Register for 1893 were issued in June, but in consequence of delay in receiving returns, work on the Register did not begin until September. The first volume is, however, well advanced, and it is hoped will be issued not later than the middle of December. The second volume will probably not be ready for distribution earlier than March or April next.

The preparation of a comprehensive index of public documents issued during the last four years, the printing of which was authorized by the last Congress, has received as much attention as could possibly be given to this important work by the superintendent of documents. It is expected that this index will be ready for publication during the winter.

ARCHITECT OF THE CAPITOL.

The architect reports that the principal improvements have been the extension of the platforms in the Hall of Representatives to give additional seating capacity for the increased number of members; the extension of the Senate kitchen; the construction of additional coal vaults, and the rearrangement of the plumbing throughout the building.

The marble bust of Elbridge Gerry has been received and added to those of the Vice-Presidents of the United States.

The new apartment, 16 by 54 feet, for the Senate kitchen has been

constructed under the pavement of the open court, at the east front, between the Senate wing and the old building, the walls and ceilings are incased with glazed tile and bricks and the whole supplied with an outfit of the most approved cooking apparatus.

The coal vaults, built under the pavement and grass plat at the east front, have a capacity for the storage of 800 tons of coal. Automatic steam regulators and draft valves have been connected with the steam boilers and the smoke flues of the boilers used for the Senate.

The electric-lighting system has been extended to the document rooms in the attic story of the Senate wing and to various committee rooms, so that now the dynamos are taxed nearly to their utmost capacity. The architect renews the recommendation made in previous reports that the Government purchase the electric-lighting plant, instead of renting, as at present. An unusual amount of painting, plastering and repairs has been done, made necessary by the cutting of walls, ceilings, and floors in the various rooms throughout the building, in which the sanitary improvements have been made.

Of the appropriation of $97,469.06 made in the sundry civil appropriation act of August 5, 1892, for the above-mentioned improvements, there is an unexpended balance of $25,932.30; the work, however, is nearly completed and has been done in the best possible manner.

Steam coils have been placed in the corridors and in many of the rooms of the terraces where heat is required, and copper roofs have been built over the archives under the north and south steps, for the better protection of the corridors below.

The artificial concrete walks and roads in the Capitol grounds have been repaired and a quantity of asphaltic roadway laid upon the west plaza; the gravel carriageways have also been repaired and are in good condition. The trees and shrubbery have been properly pruned and trimmed and are in good condition. Attention is invited to the unfinished state of the lawn west of the House wing of the Capitol, and necessary appropriation for its completion urged.

In the court-house a toilet room with the necessary plumbing has been fitted up east of the criminal court room, for use of the clerk's office. The wooden floor of the western court room has been extended to cover the entire area of the room and a platform has been constructed. A room at the south end of the east wing has been prepared for the judges' retiring room.

The interior of the building has been kept in thorough repair, and the heating apparatus and steam machinery have been put in good condition. The exterior of the building is in an unsightly and dilapidated state and badly in need of paint and other repairs.

At the Botanic Gardens two propagating houses and the cool orchid house have been reconstructed. The wings of the large conservatory have been reglazed and painted.

A new steam boiler has been provided for the building and one of the propagating houses.

General repairs have been made to the heating apparatus and to the propagating houses and to the concrete walks of the garden.

The main roof of the Smithsonian Institution has been repaired and new roofs placed on the towers. The copper gutters have been repaired and copper rain pipes substituted for those of tin, which were in a state of decay. The bay of rooms at the southeast portion of the cellar story are being rendered available for office purposes by lowering the floors and increasing the size of the windows. The plumbing and drainage of the eastern end of the office has been rearranged and improved. The one-story building for a file room of the Court of Claims has been completed and furnished with file cases at a cost within the amount appropriated by act of Congress approved May 13, 1892.

MARITIME CANAL COMPANY OF NICARAGUA.

The annual report from this company is not required until the first Monday in December, but I have been advised that no progress has been made in the work during the past twelve months.

DEPARTMENT EXHIBIT AT THE WORLD'S FAIR.

Of the total appropriation of $939,000 for the exhibit of the Government of the United States at the World's Columbian Exposition, 15 per cent ($140,850) was allotted to the Department of the Interior, less 5 per cent to the board of management for common expenses, making the amount actually available $133,807.50. This sum was expended as follows:

Amount actually available		$133,807.50
Expenses of representative, chief special agent, and departmental office	$7,851.54	
General installation expenses charged to the Department	1,618.42	
Exhibit General Land Office	8,777.07	
Exhibit Indian Bureau	9,703.55	
Exhibit Bureau of Education	8,408.04	
Exhibit Patent Office	20,053.35	
Exhibit Geological Survey	20,812.54	
Exhibit Census Office	2,220.22	
Alaskan exhibit	6,273.94	
Big Tree exhibit	10,528.51	
Total expenditure		96,247.18
Unexpended balance July 1, 1893		37,560.32

To this should be added a specific appropriation of $25,000, made to the Indian Bureau for an exhibit of the Indian schools.

In the Government building about 26,000 square feet of space was assigned to the Department of the Interior. This space was occupied as follows:

FLOOR SPACE.

	Square feet.
Census Office	1,250
Bureau of Education	3,300
Geological Survey	6,550
General Land Office	3,950
Patent Office	6,650
Total	21,700

GALLERY SPACE.

Alaskan exhibit	3,400
Offices	500
Total	3,900

In addition, the California Big Tree (*Sequoia gigantea*) from Sequoia National Park, California, occupied the center of the rotunda beneath the great dome, filled a space approximately 23 feet in diameter, and consisted of a section of the tree 30 feet in height, taken at a point 30 feet from the ground. It was hollowed out so as to form two rooms connected by a spiral stairway, and in the lower apartment were hung pictures representing the big trees in general and the process of cutting this one in particular. This exhibit attracted a great deal of attention and was regarded by all as an exceedingly impressive object.

A separate building was erected for the exhibit of the Indian school about a mile from the remainder of the Government display. A large proportion of the visitors to the Exposition sought out the Indian school, the educational methods in full operation being very interesting.

The Alaskan exhibit, prepared and installed by Lieut. George T. Emmons, U. S. Navy, was of great interest.

The electrical tabulating machines of the Census Office display attracted a good deal of attention, as did also the collection of maps and statistical diagrams, and the revolving globe 20 feet in diameter of the General Land Office exhibit.

The exhibit of the Patent Office, consisting largely of models taken from the cases at Washington, interested many visitors.

The U. S. Geological Survey exhibited principally the mineral resources of the United States, showing also a collection of rocks and fossils was so arranged as to display the geology of the entire country. With the publications of the Bureau were large transparent photographs on glass, and a collection of instruments used in the topographic and hydrographic work of the Survey. This display was one of the most attractive in the building.

Much attention was given by the foreign commissioners and others interested in library administration to the leading feature of the

exhibit of the Bureau of Education, which consisted of a working library selected by the American Library Association, catalogued according to the latest ideas of librarians, and so mounted as to show many different library appliances.

It is gratifying to know that the Exposition closed with an unexpended balance of $29,715.87 to the credit of the Interior Department. Not more than $5,000 will be required to return the exhibits, and about $25,000 can be turned back into the Treasury.

EXPENDITURES.

Although I believe that many of the improvements proposed by the various bureaus are wise and should in future be carried out, yet, in the estimate of expenditures for the Interior Department, furnished to the Secretary of the Treasury, I rejected a great majority of them. The strictest economy should, at the present time, control the disbursement of public money, and I could not consent to ask an appropriation of any sum not immediately necessary for the conduct of public business.

Respectfully submitted.

HOKE SMITH,
Secretary.

The PRESIDENT.

APPENDIX

No. 50.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 7, 1893.

RATES—COMBINING RATES. ACT OF JUNE 27, 1890—ORDER NO. 164.

HENRY H. WEIKE.

1. The basis of rates under the act of June 27, 1890, is inability to earn a support by reason of incapacity for manual labor due to disability not the result of vicious habits.
2. Schedule or nominal rates will not be added together to make up a rate under said act, but the rate will be based on the combined effect of all the causes involved upon the applicant's capacity for manual labor.

[Assistant Secretary Bussey to the Commissioner of Pensions, January 7, 1892.]

I return herewith the papers in the case of Henry H. Weike, who is receiving a pension under certificate No. 478,173, on account of rheumatism and resulting disease of heart.

The original application alleging rheumatism was filed April 4, 1887. In April, 1890, the claim was allowed for rheumatism and resulting disease of heart at $2 per month from April 4, 1887, and $8 from February 26, 1890.

October 26, 1890, he filed an application for increase and rerating, and February 24, 1891, he filed an application under the act of June 27, 1890, alleging disability from urinary trouble, dyspepsia, habitual constipation, and rheumatism, which rendered him partially unable to earn a support. Both claims were rejected, from which action an appeal is taken.

The reports of medical examinations and the other evidence in the case fail to show that any error has been committed in rating this disability resulting from rheumatism. The rejection of the claim for increase and rerating is, therefore, affirmed.

The report of the medical examination had since the application under the act of June 27, 1890, was filed, recommends a rating of $\frac{8}{18}$ ($8) for rheumatism and $\frac{4}{18}$ ($4) for diseases of urinary organs, but does not show the existence of any of the other disbilities alleged. The latter disease is not shown to be the result of vicious habits, and the disability resulting therefrom may, consequently, be taken into consideration in fixing the rate of pension under said act.

Conceding that $8 is the correct rate for the disability resulting from rheumatism, the question arises, is the claimant necessarily entitled to a higher rate because another disability is shown to exist? In other words, where more than one disability is involved, should the rate which would be allowed under the old law for each disability be added to the others to determine the total rate?

The following order (No. 164) was, with the sanction of the Department, issued by you October 15, 1890:

"That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious

habits, and which *incapacitate them for the performance of manual labor*, rendering them unable to earn a support in such a degree *as would be rated under former laws* at or above $6 and less than $12, shall be rated the same as like disabilities of service origin; and that all cases showing a pensionable disability which, if of service origin, would be rated at or above $12 per month, shall be rated at $12 per month."

The foregoing order has governed the practice of your Bureau in the matter of rates under the act of June 27, 1890, since the date of its issue. It appears, however, that said order as understood by the Department when approving it, may have been misconstrued by your Bureau so far as it has been your practice to add the separate nominal and schedule rates allowed for several disabilities in making a rate under this act. This has resulted by reason of the fact that it has been your practice under the old law to combine these rates where the total does not exceed $\frac{1}{2}$. The question as to the correctness of that practice is not now before the Department for decision. It is deemed proper to state that the Department, in approving said order No. 164, did not intend that small rates should be added together, as, for example, three or more rates of $\frac{2}{18}$ in order to make a rate under the provisions of said act. A man may have two or more separate afflictions, either one of which, considered singly, entitles him to a $2 rate under the old law, and yet in the aggregate they may not disable him for the performance of manual labor to a much greater degree than either of them existing alone. Or he may have one serious disability and one or more slight disabilities, the latter of which do not have any appreciable effect upon the degree of incapacity for manual labor occasioned by the former.

The basis of rates under the act of June 27, 1890, is inability to earn support by reason of incapacity for manual labor due to a permanent mental or physical disability not the result of vicious habits. In determining whether an applicant is entitled to a rate under said act for the character of disability aforementioned the only question is: Is he, from the cause or causes involved—be they one or many—disabled for the performance of manual labor to the extent represented by the fractional rate of $\frac{6}{12}$. If so, he is entitled to the minimum rate of $6. And so on until the maximum rate of $12 is reached.

It is directed that the views herein expressed be observed in future adjudications of claims under the act of June 27, 1890.

In the claim of Mr. Weike, now under consideration, while it is conceded that a disability from disease of urinary organs exists which *alone* would be ratable under the old law, if of service origin, it is not believed that this disease combined with rheumatism disables him for manual labor to an extent which entitles him to a higher rating than $8 per month. Rheumatism is his chief disability. There is no albumen nor sugar in the urine, and in fact but little if any objective symptoms of disease of urinary organs other than hypertrophy of the prostate gland. He is evidently able to perform considerable manual labor.

The rejection of the claim under the act of June 27, 1890, is affirmed.

No. 1.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 27, 1893.

ACT JUNE 27, 1890—PROPER BASIS OF RATING—ORDER 164 OF THE COMMISSIONER.

CHARLES T. BENNETT.

1. The basis of pension under sections 4692 and 4693, R. S., is disability by reason of wound, injury, or disease contracted while in the service and in line of duty.
2. The basis of pension under section 2, act June 27, 1890, is incapacity, due to any permanent mental or physical disability not the result of vicious habits, to such a degree as renders claimant unable to earn a support by manual labor.

3. Disabilities incurred while in the service and in the line of duty, and incapacity for earning a support befalling a claimant for pension after his service had ceased, are placed by the pension laws on an entirely different footing.
4. Disability incurred during service and in line of duty is pensionable without regard to capacity to earn a support, and is rated under the provisions of the Revised Statutes, without reference to this condition.
5. Disability resulting from causes other than of service origin are pensionable only under the provisions of the second section of the act of June 27, 1890, when incapacity to labor joins with incapacity to earn a support, and the grades of rating thereunder are dependent upon these two conditions.
6. When by Order No. 164 of the Commissioner of Pensions, October 15, 1890, it was declared that disabilities under the act of June 27, 1890, should be rated as if of service origin, the very principle which governed ratings under said act was displaced and a rule applicable to a different law was substituted.
7 Neither the Secretary of the Interior, nor the Commissioner of Pensions can, by order or by practice, supersede an act of Congress. The power of the Department, so far as its orders and practice are concerned, is limited to an execution of the law; it ceases when an effort is made to supersede the law.

[Assistant Secretary John M. Reynolds to the Commissioner of Pensions, May 27, 1893.]

Charles T. Bennett, late private, Company F, Thirteenth Indiana Volunteers, filed his original application for an invalid pension under the provisions of the Revised Statutes, on July 5, 1886, alleging that while in the service and in line of duty at Raleigh, N. C., about June 1, 1865, he was prostrated by a sunstroke, from which resulted a disease of the head and loss of hearing.

The claim was rejected by your Bureau February 18, 1892, upon the ground that the evidence failed to establish the existence of any disability due to the claimant's army service.

From said action the claimant appealed March 19, 1892. The evidence shows that the appellant enlisted September 14, 1864, and was discharged June 23, 1865; but the records of the War Department, in evidence, show neither treatment for any disability during said period, nor the existence of any disabling cause, but that he was carried on all rolls and returns as "present for duty" from enlistment to discharge.

The affidavits furnished in support of his claim do not satisfactorily establish the origin of the alleged disability, and in the certificate made by the board of examining surgeons at Vincennes, Ind., on November 3, 1886, the following language is found: "This man seems to be in vigorous health, and we discover no evidence of a diseased nervous system, not tremulous, but in good flesh, and looks as if he was never afflicted by any great nervous prostration. * * * We would state that he has slight deafness in both ears, but not of sufficient character to warrant us in making a rating." The rejection of the applicant's claim for invalid pension, for the reasons given, was proper and is affirmed.

This appeal brought up, also, the application made by the same claimant for a pension under the provisions of the second section of the act of June 27, 1890. Under this second section your Bureau on January 29, 1891, granted to the claimant the maximum rating of $12 a month.

The only disability found to exist upon medical examination, as declared by your Bureau, was "slight deafness of both ears." This deafness was so slight, according to the certificate of the board of examiners, that he could hear a watch tick in each ear when it was within one-half inch of each.

To entitle the claimant to a pension under the provisions of the second section of the act of June 27, 1890, it was necessary that he should be suffering from a mental or physical disability of a permanent character not the result of his own vicious habits, which incapacitates him for the performance of manual labor in such a de-

gree as to render him unable to earn a support; in which event he might be entitled to receive a pension not exceeding $12 per month and not less than $6 per month. As the claimant was suffering simply from "slight deafness," according to your finding, which was so slight that he could hear a watch tick one-half inch from each ear. the physical disability clearly failed to come within the requirements of the law. Such "slight deafness," of necessity, could not incapacitate for the performance of manual labor, and yet the claimant was allowed the largest sum provided for under this section of the act of June 27, 1890.

In order to ascertain with certainty the basis upon which this pension was rated, the following communication was addressed to the Commissioner of Pensions:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 23, 1893.

SIR: I herewith return to you the papers in the case of Charles T. Bennett, late private, Company F, Thirteenth Indiana Volunteers, Certificate No. 533,762.

Please furnish me at your earliest convenience the basis of rating in this case, which places "slight deafness" of both ears, under the act of June 27, 1890, at the rate of $12 per month.

Very respectfully,

JNO. M. REYNOLDS,
Assistant Secretary.

THE COMMISSIONER OF PENSIONS.

To which the following answer was furnished through the Commissioner of Pensions:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, D. C., May 23, 1893.

SIR: In response to your request that I prepare an answer to the communication of this date addressed you by the honorable Assistant Secretary concerning the basis of rating in this case for a slight deafness of both ears at $12 per month under the act of June 27, 1890, I have to say that this rate was allowed in accordance with Order No. 164, which directed "that all cases showing a pensionable disability which, if of service origin, would be rated at or above $12 per month, shall be rated at $12 per month." The inability of the applicant to perform manual labor was not taken into consideration.

At the time of the action taken in this claim, January 29, 1891, the schedule rate for slight deafness of both ears was $15; hence the rate of $12 was allowed. Since December 4, 1891, the schedule rate for slight deafness of both ears has been $6, and such cases have been allowed at this rate since the above date. I have recently suspended action in this class of cases.

Very respectfully,

THOS. D. INGRAM,
Medical Referee.

The Department will now consider whether the method of rating followed in this case is in accordance with the law.

The second section of the act of June 27, 1890, provides as follows:

"SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from a mental or physical disability of a permanent character, not the result of their own vicious habits, which incapacitates them for the performance of manual labor in such a degree as to render them unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding twelve dollars

per month and not less than six dollars per month, proportioned to the degree of inability to earn a support; and such pension shall commence from the date of the filing of the application in the Pension Office after the passage of this act, upon proof that the disability then existed, and shall continue during the existence of the same."

It will be seen that this section only provides for a pension where the applicant has been incapacitated for earning a support by manual labor. Incapacity to perform manual labor to a degree which produces inability to earn a support, is the basis of pension under this section; yet the report of the medical referee shows that the pension was allowed by your Bureau in this case in pursuance of Order No. 164; and the inability of the applicant to perform manual labor was not taken into consideration.

The following is a copy of Order No. 164:

In regard to fixing rates of pensions under act of June 27, 1890.

That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character not the result of their own vicious habits, and which incapacitate them for the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above six dollars and less than twelve dollars, shall be rated the same as like disabilities of service origin; and that all cases showing a pensionable disability which, if of service origin, would be rated at or above twelve dollars per month, shall be rated at twelve dollars per month.

GREEN B. RAUM,
Commissioner.

Approved:
CYRUS BUSSEY,
Assistant Secretary.

It will be seen that this order required that all cases showing a pensionable disability under the act of June 27, 1890, should be rated as if of service origin.

The law applicable to pensions of service origin is found in the Revised Statutes, and is as follows:

"Any officer of the Army, including regulars, volunteers, and militia, or any officer in the Navy or Marine Corps, or any enlisted man, however employed, in the military or naval service of the United States, or in its Marine Corps, whether regularly mustered or not, disabled by reason of any wound or injury received, or disease contracted, while in the service of the United States and in line of duty," etc.

The only requirement to obtain a pension under this act is disability by reason of wound or injury received or disease contracted while in the service and in line of duty. Incapacity to perform manual labor, which is the foundation to the right to pension under the act of June 27, 1890, fixes an entirely different standard of disability from that just mentioned, contained in the Revised Statutes, covering injuries of service origin. Disabilities incurred while in actual service and incapacity coming upon applicant long after service ceased are made by the law to stand upon an entirely different footing. Those incurred during service and in line of duty are pensionable without regard to capacity to earn a support, and are graded without reference to this condition. Disabilities resulting from causes other than of service origin are only pensionable when incapacity to labor joins with incapacity to earn a support, and the grades of rating are dependent upon these two conditions. When by Order No. 164 it was declared that disabilities under the act of June 27, 1890, should be rated as of service origin, the very principle which governed the rating under the act of June 27, 1890, was displaced, and a rule applicable to a different act was substituted.

This case illustrates the effect of the departure by your Bureau from the terms of the act of 1890:

1. The applicant was awarded for "slight deafness" not of service origin, $12. The award was made under the act of 1890. It was given by your Bureau for "slight deafness," because, under an entirely different act, applicable to disabilities of service origin alone, $15 was the lowest rating for "slight deafness."

2. "The inability of the applicant to perform manual labor was not taken into consideration." Yet the act of 1890, under which the applicant sought and was allowed a pension, made inability of the applicant to perform manual labor, in such a degree as to prevent him from earning a support, the foundation of his claim.

It is, therefore, clear that the rating under the Revised Statutes for disabilities of service origin was substituted by Order No. 164 for the rating provided under the act of 1890.

The order having resulted in one error, a second error naturally followed, and the inability of the applicant to perform manual labor was not taken into consideration. In a word, the act of June 27, 1890, was changed and superseded by Order No. 164, as construed by your Bureau, and by a practice that neglected to take into consideration the ability of the applicant to perform manual labor.

It is hardly necessary to present argument or to support by authority the proposition that neither the Secretary nor the Commissioner can by order or practice supersede an act of Congress. The power of the Department, so far as orders and practice are concerned, is limited to an execution of the law; it ceases when an effort is made to supersede the law.

You will, therefore, take such steps as are necessary to reopen this case and to pass upon it in accordance with the provisions of the act of Congress approved June 27, 1890, disregarding any order or practice which is in conflict with the plain letter of the law.

The foregoing decision was approved by the honorable Secretary of the Interior and was by him submitted to the honorable Attorney-General, who also approved it. After this concurrence the following order was made revoking the one dated October 15, 1890, numbered 164, referred to therein:

DEPARTMENT OF THE INTERIOR,
Washington, D. C., May 27, 1893.

SIR: Order No. 164, signed "Green B. Raum, Commissioner of Pensions," and approved, "Cyrus Bussey, Assistant Secretary," of date October 15, 1890, is hereby revoked.

You will prepare, for approval of the Secretary, new rules and regulations covering the proof of the right to pensions and rates of same in accordance with the provisions of section second of the act of Congress approved June 27, 1890.

Your attention is directed to the fact that the disabilities which are pensionable under this section must be of a permanent character, incapacitating for the performance of manual labor to such a degree as to produce inability to earn a support. You will observe, also, that the rate of pension is fixed at not less than $6 nor more than $12 per month, proportioned to the degree of inability to earn a support.

You will have an examination made to determine what pensions have heretofore been allowed under section second of the act approved June 27, 1890, in disregard of the terms of said act and in conflict with the ruling of this Department in the case of Charles T. Bennett, this day transmitted to you.

Respectfully,

HOKE SMITH,
Secretary.

The COMMISSIONER OF PENSIONS.

(Order No. 240.)

Department of The Interior,
Bureau of Pensions,
Washington, August 26, 1893.

In the reëxamination of all classes allowed under section 2 of the act of June 27, 1890, the practice of the Bureau is hereby changed and modified as follows:

First. Where it appears, *prima facie*, on the face of the papers, that the pensioner was not entitled to any rating, the payment of the pension shall be at once suspended, and the pensioner notified that he will be dropped from the rolls after sixty days from such notice, unless he shall in the meantime file competent evidence showing his right to pension.

Second. Where, on the face of the papers, it appears that the pensioner is entitled to a less rate than he is now receiving, he shall be notified that his pension will be reduced to such less rate unless, within sixty days from such notice, he shall file competent evidence of his right to a higher rating.

Third. Where it appears on the face of the papers that the pensioner had been allowed a pension under a prior law, and that he is not entitled under the act of June 27, 1890, to any higher rate of pension than was so allowed under such prior law, he shall be notified that his pension under the act of June 27, 1890, will be dropped and his pension under such prior law restored, unless, within sixty days from such notice, he shall file competent evidence that he is entitled to a higher rate than was granted by his pension under such prior law.

Fourth. Every such notice shall inform the pensioner that upon his application to the Commissioner he will be immediately ordered for examination by a local medical board to enable him to obtain the necessary evidence to show his right to pension.

Fifth. When any pensioner shall have complied with the requirement of such notice and furnished evidence tending to support his claim to be continued on the rolls, the case shall at once be a "special case" and be promptly adjudicated. There will be no preliminary suspension in any case hereafter, except as provided in the first subdivision of this order.

Wm. Lochren,
Commissioner.

Approved.
Hoke Smith,
Secretary.

Pensions and Pension Appeals.

Department of the Interior,
Washington, D. C., November 1, 1893.

The Secretary:

I have the honor to submit my report of the work done by the Board of Pension Appeals, under my supervision and that of my predecessor, from the beginning of the fiscal year commencing July 1, 1892, to the present time. This work relates to the adjudication of claims for pension which are appealed to the Secretary from the adverse action of the Commissioner of Pensions; to the final disposition and decision of such other appeals from the Commissioner as involve questions of attorneyship and fees in pension cases; and also to correspondence with claimants and attorneys, having reference to such appeals. The amount of work accomplished, including decisions prepared and current correspondence, is summarized in the following tabulated statements:

ANNUAL STATEMENT.

ORIGINAL APPEALS.

TABLE I.—*Statement showing disposition of pension claims from July 1, 1892, to June 30, 1893.*

	Appeals pending on the first day of the month.	Appeals filed during the month.	Total.	Action of the Pension Office sustained.	Action of the Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Appeals dismissed.	Total appeals disposed of.
1892.								
July	4,349	320	4,669	241	46	22	12	321
August	4,348	3	4,351	314	55	3	6	378
September	3,973	890	4,863	246	27	24	21	318
October	4,545	407	4,952	217	49	19	20	305
November	4,647	326	4,973	218	73	5	19	315
December	4,658	305	4,963	198	45	14	17	274
1893.								
January	4,689	379	5,068	297	28	19	38	382
February	4,686	364	5,050	251	29	21	7	308
March	4,742	369	5,111	358	54	18	17	447
April	4,664	462	5,126	284	29	6	22	341
May	4,785	491	5,276	446	31	12	39	528
June	4,748	204	4,952	415	19	9	52	495
July	4,457							
Total		4,520		3,485	485	172	270	4,412

MOTIONS FOR RECONSIDERATION.

TABLE II.—*Statement showing disposition of motions for reconsideration from July 1, 1892, to June 30, 1893.*

	Motions for reconsideration pending on the first of the month.	Motions for reconsideration filed during the month.	Total.	Motions for reconsideration overruled.	Motions for reconsideration sustained.	Reconsidered and allowed by the Commissioner of Pensions.	Motions for reconsideration dismissed.	Total motions for reconsideration disposed of.	Letters referred to the Commissioner of Pensions.	Letters sent.
1892.										
July	182	17	199	14		3		17	815	600
August	182	1	183	17	1			18	640	330
September	165	34	199	9	3	3		15	1,295	1,165
October	184	21	205	23	4			27	775	640
November	178	26	214	20				20	1,220	895
December	194	20	214	25	3	1		29	1,105	845
1893.										
January	185	9	194	13		1	1	15	1,295	935
February	179	21	200	10				10	1,225	945
March	190	28	218	25	3			28	1,625	1,135
April	190	21	211	26	1	2		29	1,405	1,065
May	182	12	194	27	2	2		31	1,655	1,265
June	163	13	176	25	3			28	800	605
July	148									
Total		233		234	20	12	1	267	13,855	10,425

FEE APPEALS.

TABLE III.—*Statement showing disposition of appeals relating to attorneyship and fees from July 1, 1892, to June 30, 1893.*

	Fee appeals pending on the first of the month.	Fee appeals filed during the month.	Total.	Action of the Pension Office sustained.	Action of the Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Fee appeals dismissed.	Total fee appeals disposed of during the month.
1892.								
July	75	36	111	16	3	9		28
August	83	6	89	31	2	10		43
September	46	61	107	29	6	10	1	46
October	61	23	84	9	3	11		23
November	61	70	131	44	3	21	2	70
December	61	57	118	26	1	12		39
1893.								
January	79	85	164	28	7	14		49
February	115	47	162	32	5	17		54
March	108	97	205	33	7	9		49
April	156	31	187	27	4	12	1	44
May	143	80	223	77	2	29	3	111
June	112	64	176	58	3	16		77
July	99							
Total		657		410	46	170	7	633

RECAPITULATION.

ORIGINAL APPEALS.

Appeals pending July 1, 1892	4,349	
Appeals filed from July 1, 1892, to June 30, 1893	4,520	
Total		8,869
Appeals wherein Pension Office was sustained	3,485	
Appeals wherein Pension Office was reversed	485	
Appeals reconsidered by Pension Office pending appeal	172	
Appeals dismissed	270	
Total		4,412
Appeals pending July 1, 1893		4,457

MOTIONS FOR RECONSIDERATION.

Motions for reconsideration pending July 1, 1892	182	
Motions for reconsideration filed from July 1, 1892, to June 30, 1893	233	
Total		415
Motions for reconsideration overruled	234	
Motions for reconsideration sustained	20	
Motions for reconsideration allowed by Pension Office	12	
Motions for reconsideration dismissed	1	
Total		267
Motions for reconsideration pending July 1, 1893		148

FEE APPEALS.

Fee appeals pending July 1, 1892	75	
Fee appeals filed from July 1, 1892, to June 30, 1893	657	
Total		732
Fee appeals wherein Pension Office was sustained	410	
Fee appeals wherein Pension Office was reversed	46	
Fee appeals reconsidered by Pension Office pending appeal	170	
Fee appeals dismissed	7	
Total		633
Fee appeals pending July 1, 1893		99

CORRESPONDENCE.

Letters referred to the Commissioner of Pensions	13,855
Letters sent	10,425

SUPPLEMENTAL STATEMENT.

In addition to the foregoing tables embracing the work of the last fiscal year, the following tabulated statements showing the amount of work done from July 1, 1893, to November 1, 1893, is submitted:

ORIGINAL APPEALS.

TABLE IV.—*Statement showing disposition of pension claims from July 1, 1893, to November 1, 1893.*

	Appeals pending on the first day of the month.	Appeals filed during the month.	Total.	Action of the Pension Office sustained.	Action of the Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Appeals dismissed.	Total appeals disposed of.
1893.								
July	4,457	165	4,622	337	22	5	73	437
August	4,185	53	4,238	308	4	7	79	398
September	3,840	238	4,078	298	14	7	46	365
October	3,713	135	3,848	197	7	2	24	230
November	3,618							
Total		591		1,140	47	21	222	1,430

MOTIONS FOR RECONSIDERATION.

TABLE V.—*Statement showing disposition of motions for reconsideration from July 1, 1893, to November 1, 1893.*

	Motions for reconsideration pending on the first of the month.	Motions for reconsideration filed during the month.	Total.	Motions for reconsideration overruled.	Motions for reconsideration sustained.	Reconsidered and allowed by the Commissioner of Pensions.	Motions for reconsiderations dismissed.	Total motions for reconsideration disposed of.	Letters referred to the Commissioner of Pensions.	Letters sent.
1893.										
July	148	5	153	11	1		2	14	1,165	855
August	139	7	146	21	1		2	24	1,062	777
September	122	5	127	10		2		12	687	594
October	115	9	124	16	1	1		18	795	585
November	106									
Total		26		58	3	3	4	68	3,709	2,811

FEE APPEALS.

TABLE VI.—*Statement showing disposition of appeals relating to attorneyship and fees from July 1, 1893, to November 1, 1893.*

	Fee appeals pending on the first of the month.	Fee appeals filed during the month.	Total.	Action of the Pension Office sustained.	Action of the Pension Office reversed.	Reconsidered by the Pension Office pending appeal.	Fee appeals dismissed.	Total fee appeals disposed of during the month.
1893.								
July	99	38	137	35	2	18	2	57
August	80	23	103	19	2	9		30
September	73	62	135	42	2	15		59
October	76	26	102	18	1	2		21
November	81							
Total		149		114	7	44	2	167

TABLE IV.—*Statement showing disposition of appeals relating to attorneyship and fees from July 1, 1892, to November 1, 1893.*—Continued.

RECAPITULATION.

ORIGINAL APPEALS.

Appeals pending July 1, 1893	4,457	
Appeals filed from July 1, 1893, to November 1, 1893	591	
Total		5,048
Appeals wherein Pension Office was sustained	1,140	
Appeals wherein Pension Office was reversed	47	
Appeals reconsidered by Pension Office pending appeal	21	
Appeals dismissed	222	
Total		1,430
Appeals pending November 1, 1893		3,618

MOTIONS FOR RECONSIDERATION.

Motions for reconsideration pending July 1, 1893		148
Motions for reconsideration filed from July 1, 1893, to November 1, 1893		26
Total		174
Motions for reconsideration overruled	58	
Motions for reconsideration sustained	3	
Motions for reconsideration allowed by Pension Office	3	
Motions for reconsideration dismissed	4	
Total		68
Motions for reconsideration pending November 1, 1893		106

FEE APPEALS.

Fee appeals pending July 1, 1893	99	
Fee appeals filed from July 1, 1893, to November 1, 1893	149	
Total		258
Fee appeals wherein Pension Office was sustained	114	
Fee appeals wherein Pension Office was reversed	7	
Fee appeals reconsidered by Pension Office pending appeal	44	
Fee appeals dismissed	2	
Total		167
Fee appeals pending November 1, 1893		81

CORRESPONDENCE.

Letters referred to the Commissioner of Pensions	3,709
Letters sent	2,801

THE WORK.—The business transacted, as indicated by the foregoing tabulated statements, has been accomplished with commendable thoroughness, and bears testimony to the industry, efficiency, and cheerfulness with which the members and employés of the Board of Pension Appeals have labored to dispose of the number of appeals and motions for reconsideration with which the docket has been crowded. Your attention is called to the fact of the comparatively few instances wherein the action of the Commissioner of Pensions has been overruled in proportion to the whole number of claims considered, evincing, as it does, the care with which the rulings of the Department are followed and observed by the Bureau of Pensions. The instances where the action of the Commissioner has been reversed on appeal are chiefly in cases wherein the evidence was of a more or less conflicting, doubtful, or complicated character, or in which arose certain questions of law the proper decision of which required an authoritative expression of opinion from this Department.

RECENT IMPORTANT DECISIONS.—Since my incumbency of the office of Assistant Secretary of this Department, several very important decisions have been rendered which have tended to change to some extent and, it is believed, improve the practice of the Bureau of Pensions in the adjudication of pension cases, and by which some grave errors in the administration of the pension laws have been corrected. One of the most important of these, and the one which has been most farreaching in its effects and consequences, and has attracted public attention and comment to

a greater degree than any other, was the decision rendered May 27, 1893, in the case of Charles T. Bennett, late of Company F, Thirteenth Indiana Volunteers, by which the proper and legal basis of pension under the second section of the act of June 27, 1890, was defined, and in pursuance of which you revoked order No. 164 of the late Commissioner of Pensions, and abrogated the illegal and improper practices thereunder. Although said decision has been very severely criticized in certain quarters, it is to be noted that it is strictly in line with decisions of my immediate predecessor in the cases of Washington Borden, rendered August 3, 1892 (6 P. D., 17); Patrick Carroll, rendered February 1, 1893 (Ibid, 259), and Henry H. Weike, rendered January 7, 1893 (Ibid, 193). Under this decision, the practice of the Bureau of Pensions has been made to conform to the provisions of the law, and the improper and illegal disbursement of very large amounts of public money has been stopped.

Under a decision rendered by me June 27, 1893, the benefits of the act of August 5, 1892, granting pensions to Army nurses, were extended to women who were employed in hospitals superintending and preparing proper and suitable diet for the sick and wounded under the directions of the surgeons in charge, upon their making the proof and fulfilling the conditions required by the terms of the act, thus securing to this class of most worthy and deserving applicants, who were clearly included within the terms of the statute, their rights thereunder, which had previously been denied them.

In the case of Joseph P. Smith, a decision was rendered August 15, 1893, deciding and defining the amount fixed by law for the fees of attorneys in claims for increase of pensions under the act of June 27, 1890, by which a saving of many thousand dollars to pensioners was accomplished.

In the case of Timothy L. Carley, a decision was rendered August 18, 1893, which definitely fixed and established the date of the commencement of a pension granted under the provisions of the second section of the act of June 27, 1890, a subject upon which there had previously existed a great deal of uncertainty and confusion in the practice of the Bureau of Pensions.

The foregoing are a few of the more important decisions that have been rendered, wherein the former holdings of the Department, and the practice of the Bureau, have been departed from or modified, and are merely mentioned to show the character and nature of such changes as I have thought were necessary. In the vast majority of cases decided by me the former rulings and decisions of the Department have been followed, and in no instance have they been disturbed or modified, except where it appeared that the plain requirements of the law, or the good of the service, demanded such action.

In this connection it is proper to state that since the last report of the Assistant Secretary the sixth volume of "Decisions of the Department of the Interior in Appealed Pension Claims," with a topical index to, and concise notes of, the decisions contained in the six volumes of the series, has been published, embracing the decisions selected for publication down to March 11, 1893, during the incumbency of my predecessor.

The seventh volume, embracing decisions rendered under my own supervision, is now in course of preparation upon the same plan pursued since the commencement of the publication of the series.

RULES OF PRACTICE.—Upon taking charge of the office of Assistant Secretary I soon discovered that the practice of this Department and of the Bureau of Pensions relative to the granting, hearing, and adjudication of appeals in pension and fee cases was in a very unsatisfactory state.

Rules of practice in appeal cases had, from time to time, been promulgated by former Secretaries of the Interior, but appear to have never been strictly enforced, and had been suffered, to a great extent, at least, to fall into disuse.

I, therefore, prepared a new code of rules for the government of the practice of

this Department and the Bureau of Pensions in appealed pension cases, which were submitted to you, and approved and promulgated September 9, 1893.

It is believed that a strict enforcement of these rules of practice will not only tend to expedite the business of the Department and the Bureau, but will be of great benefit to both the attorneys and claimants for pension.

REORGANIZATION OF THE BOARD OF PENSION APPEALS.—The membership of the Board of Pension Appeals having been increased by the act of Congress making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1887, from three to nine, the Board was reorganized in October, 1886, by an order of the Secretary of the Interior, into three divisions, each consisting of three members. These divisions acted upon appeals independently and without direct reference to each other, the controlling idea and purpose of this organization being that each division of the Board should decide and dispose of appeals in certain distinct classes of pension claims, namely: Original invalid claims by one division, increase claims by another, and dependent, widow's, and restoration claims by a third. It was, however, very soon rendered manifest that this division of the work was wholly impracticable, owing to the impossibility of the Bureau of Pensions to report upon the appealed cases in the order named, and, also, to the fact of the great multiplication of appeals, at times, in one class of pension claims over the others. Therefore, all distinction between the character of the work performed and the class of appealed pension claims passed upon by the different divisions of the Board was soon abandoned, but the organization into three separate divisions was continued long after the reason for it had ceased to exist, and notwithstanding the fact that it tended very seriously to impair that harmony of action and uniformity in the decisions of the Board, which was absolutely necessary to the accomplishment of the best results, and also unnecessarily added very greatly to the labors of the Assistant Secretary.

Believing that the work would be greatly benefited, as well as expedited, by a different organization, I, with your sanction and approval, proceeded, soon after taking charge of this work, to reorganize said Board into one body, under the immediate control of a chairman and assistant chairman, selected from the members of the Board, upon the same general plan with all other divisions of your office. This plan of organization has now been in operation for several months, and I am pleased to be able to state that it has fully met my expectations, and has proved highly satisfactory both in rendering the decisions of the Board more generally harmonious, in preventing the preparation of conflicting decisions on the same subjects, and, also, in expediting the work of the Board in disposing of cases on appeal.

Under the present organization of the Board all decisions are carefully reviewed and initialed by the chairman and assistant chairman before being presented to me, when they are again examined, revised if necessary, and then approved and signed.

CONCLUSION.—In conclusion, I desire to call attention to the fact, appearing from the foregoing supplemental tabulated statements, embracing the period from July 1, 1893, to the present time, that for the first time in several years past there has been a steady gain in the number of appeals disposed of during the last six months over the number filed during the same period, and it is hoped that by the end of a year from this date the present large accumulation of appeals may, in great part, be disposed of, and the docket cleared of, practically, all but current business.

I am encouraged in this expectation from the fact also appearing from the foregoing tabulated statements, that on the 15th day of April, 1893, when I entered upon the duties of my office, 5,041 cases were undisposed of on appeal to the Secretary. Besides disposing of cases equal to the number appealed since that date, the accumulated appeals have been reduced to 3,805.

Respectfully submitted.

JNO. M. REYNOLDS,
Assistant Secretary.

Hon. HOKE SMITH.